SPECIAL NEWS SUPPLEMENT

BROADCASTING
and
Broadcast Advertising

VOL. 27, No. 16—SUPPLEMENT | WASHINGTON, D. C., OCTOBER 16, 1944 | $5.00 A YEAR—15c A COPY

Rapid FM Growth in High Band Indicated

Broadcast Services Feature FCC Hearing

By BILL BAILEY

ACCEPTANCE of FM as the new broadcast service destined to get under way first in the postwar era was clearly reflected last week at the general allocations hearings before the FCC in Washington. The only real point at issue appeared to be whether the new broadcast service would remain in the 50 mc area of the spectrum, or move up in the vicinity of 100 mc where there would be more room for expansion and where interference might be less marked.

The third week of the allocations proceedings, given over entirely to broadcast services, saw witness after witness propose adequate allocations for FM, although recommendations varied as to position in the spectrum and to band width. While there were proposals to narrow the band width from the Armstrong standard of 200 kc to 100 or 150 kc, preponderant testimony favored retention of the wider band to provide maximum quality advantages of the new broadcast method.

Channels Discussed

Questions by Government officials, notably FCC Chairman James Lawrence Fly, Commissioner E. K. Jett, General Counsel Charles R. Denny and Chief Engineer George P. Adair, hinted support for movement of FM to the 100 mc band in lieu of the lower portion of the spectrum heretofore strongly favored by FM advocates.

As against 75 channels proposed in the band 41-56 mc, questions were directed toward provision of the band 88-108 mc for FM, with 85 channels available for commercial FM and 15 for non-commercial educational.

Because the hearings are behind schedule, the Commission last Friday indefinitely postponed facsimile and other broadcast services in order to take up police and kindred services on Wednesday, Oct. 18, as per schedule. The hearings were to move into television last weekend, with a Saturday session scheduled. Most of the present television licensees, as well as the manufacturing companies which have been in the field, were prepared to argue for retention of the television frequencies in the lower portion of the band, based on prewar allocations, while others, including CBS and Cowles Broadcasting Co., represented by former Commissioner T. A. M. Craven, vice-president, were ready to reiterate their support for movement of television "upstairs" above 300 mc, where high fidelity and color later could be accommodated.

A birdseye view of future FM network operation was presented by Paul W. Kesten, CBS executive vice-president, in his second appearance during the proceedings [BROADCASTING, Oct. 9]. Advocating "single market coverage" for FM, rather than multiple city service, which would place all FM stations on an equal basis in the same market, Mr. Kesten said this process would add more stations to a network and mean benefits to everybody.

400 Channels Asked

He estimated that 175 stations in an FM network pattern could be established with rural coverage greater than that of the existing standard networks. An FM network such as CBS has in mind, he predicted, could cover 80% of the population with 175 stations. As he foresaw developments, all networks would be on equal footing, insofar as technical facilities and coverage are concerned. The standing of the networks then would be dependent upon public acceptance by virtue of program quality, initiative, and the laws of competition.

Proposal that 400 channels of 100 kc width in the 60-100 mc band be assigned for FM was made by Comdr. Craven, who estimated that the next 10 to 15 years would see some 2,000 commercial FM stations and an equal number of educational outlets if proper space is allocated. He proposed that 80 channels, 50 kc wide, be utilized in the 52-56 mc band for facsimile service, entirely divorced from FM, along with another 100 channels in the 475-480 mc band assigned for the "still picture" service.

A land rush of educators for FM and even television stations was evidenced last Friday when 30 witnesses representing departments of education, schools and other educational pursuits, supported a plea for 15 FM channels of 200 kc for such stations, adjacent to the commercial band. They also sought 10 frequencies for relays, permitting ultimate networking of stations, and at least two television channels.

Dr. John W. Studebaker, U. S. Commissioner of Education, long an advocate of extensive use of radio in education and betimes a proponent of a Government-owned system, and Dr. R. R. Lowdermilk, Acting Director of Educational Radio Service of the Office of Education, led the retinue of pedagogs.

State Network Links

The Commission was told that at least 28 states are planning to construct FM stations and in most cases they will be linked through state educational networks. Dr. Studebaker said the facilities would be used by local school systems, colleges and universities, and state departments of education.

Maj. Edwin H. Armstrong, FM inventor; Walter J. Damm, directing head of WTMJ and WMFM Milwaukee, and president of FM Broadcasters Inc.; C. M. Jansky Jr., consulting radio engineer and chairman of the Radio Technical Planning Board FM Panel 5, all testified in favor of retention of the 200 mc band for FM and for adequate space for the future. Maj. Armstrong said any reduction in channel width would impair FM quality.

Mr. Damm estimated that within five years after the war there will be 1,200 FM stations. With a half-million receivers now in use, he said manufacturers estimate five million sets capable of FM reception within a year after the war.

Opening the standard broadcast allocation phase last Tuesday, C. H. Owen, chief, Hearing Section, Broadcast Division, FCC Engi-

Concerning This Issue

UNORTHODOX makeup of this issue of BROADCASTING was occasioned by labor difficulties at our printing plant. Union printers at the commercial plants in Washington threatened to quit work last Tuesday, following rupture of negotiations with employers for a new form of contract.

The bulk of this issue was printed on Monday and Tuesday—three days in advance—because of the threatened work stoppage at the Rufus H. Darby Printing Co., one of the city's largest plants, at which BROADCASTING has been printed for the last dozen years.

Late news, including full coverage of the FCC general allocation hearings and the Petrillo-AFM defiance of President Roosevelt's back-to-work request, will be found on the following eight pages and the last eight pages of this issue. This news supplement was printed after the War Labor Board intercession in the dispute. Both parties have agreed to renegotiation.

We desire to thank many of our advertisers who willingly cooperated in the production of this issue. We also express our thanks to the Darby Printing Co. and its staff.

BROADCASTING PUBLICATIONS INC.

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neering Dept., placed in the record exhibit showing that despite 912 standard stations and 16 others authorized by construction permits, 8.1% of the population has no daytime primary coverage and 17.4% is without nighttime primary (see abstract Supplement page 13).

Howard S. Frazier, NAB Director of Engineering and chairman of RTPB Panel 4, standard broadcasting, told the Commission that the Panel has not taken formal action on proposed extension of the AM band to 520 kc. He said, however, that the Allocations Committee of Panel 4 had recommended extending the band to 520 kc, making available the three additional channels 520, 530 and 540 kc. The Receiver Committee opposed the 520 and 530 kc channel but recommended extension to 540 kc.

Resolution adopted by the NAB Small Market Stations Committee, urging study of nighttime interference on Class IV channels, recommending extension of the standard band to 520 kc and use of synchronized relays for unattended AM satellite stations, were included in Mr. Frazier's report.

A statement from A. D. Ring, consulting engineer, chairman of the panel Allocations Committee, read by Mr. Frazier, said the Committtee was continuing study on proposals to use the channel between 200-400 kc for standard broadcasting. With reference to the 520, 530 and 540 kc use, Mr. Ring's statement said:

"The Committee feels that these channels could be used very advantageously for providing additional service in areas where service is now needed for alleviating interference between existing stations, which in many cases is serious. A study of the technical performance possible on these channels indicates that they are excellently suited for broadcast coverage."

Godley Gives Views On Proposed Channels

Paul F. Godley, consulting engineer and member of Panel 5, submitted a detailed exhibit on his findings as to the use of both the 200-400 kc band and the 520-1600 kc band for standard broadcast [Broadcasting, Oct. 9]. As to the 520-540 channels, he said ground wave propagation is greatly superior and night skywave propagation is considerably inferior during the three-hour period following sunset.

"It is considered that the secondary night service supplied to very broad areas by the ionospheric reflections, as on the clear channels, is of major importance to our service structure; and the relative unsuitability of 520-540 kc for such service suggests itself," said Mr. Godley.

William J. Dempsey, former FCC general counsel, Washington law firm of Dempsey & Koplovitz, on behalf of Midland Broadcasting Co., (KMBC Kansas City), objected to Mr. Godley's testimony on the ground that the Commission had ruled against any suggestions for specific use by one group of proposed channels.

"I think we will avoid all reference of a particular party to a particular frequency," said Chairman Fly. Commissioners Jett and Case, joining the argument, brought out that Mr. Godley was presenting overall testimony as to the feasibility of extending the standard band to 520 kc and was advancing his own suggestions. KMBC has an application pending for the 540 kc channel with 50,000 w.

Continuing his testimoney Mr. Godley said it remains to be determined whether: (1) a very few stations supplying regional service, or (2) some 100-150 services comparable or superior, both day and night, to the present average local class of service or (3) a combination of both constitutes most effective use.

Cost of Reconverting Receivers Outlined

Under cross-examination Mr. Godley said in his personal opinion the "receiver problem is insignificant as compared to the service" the lower frequencies would give.

J. Harold Ryan, NAB President, supported the RTPB recommendations and urged the FCC to grant sufficient facilities for the expansion of broadcasting service (see abstract on page 18).

Paul F. Peter, NAB Director of Research, submitted exhibits showing the number of sets in use, the growth of broadcast advertising, growth of national advertising, growth of local advertising, increase of advertising revenue, radio advertising related to total advertising, radio sets sold in the U. S., tubes sold and total sales of receivers, tubes, batteries and parts from 1922-1943.

W. F. Cotter of Stromberg-Carlo Co., who was listed as a standard broadcast witness,told the Commission his statement had to do with FM. Questioned by Mr. Denny as to the use of present receivers should the FCC extend the broadcast band to include 520 kc, Mr. Cotter said most of the sets now in the hands of the public could be used to tune in the 540 kc channel. He said only a very small percentage of sets could be converted to receive the 520-530 kc channels without too much expense.

"I don't believe reconverting would be practical," he added. "It would be too costly to undertake and satisfy the owner at the same time." He estimated the cost of converting would run around $1 up to the manufacturer.

William B. Lodge, CBS director of engineering, endorsed the RTPB Panel 4 recommendations with one exception. "We do not believe it desirable to extend the standard broadcast band to 520 kc," he said. "It seems unwise when a definite transition to FM is underway. There seem to be enough new changes in the wind in FM and television.

"There is good reason to believe that the 540 kc channel could be tuned in by a large number of sets now in the hands of the public. It would be a very constructive change in the standard broadcast band."

Nearly 250 Seeking To Operate FM Stations

Mr. Lodge, questioned by Mr. Denny as to possible interference with automatic marine alarm should the standard band be extended downward, said he had talked to Canadian Broadcasting Corp. engineers regarding CBK Watrous, Saskatchewan, a 50 kw station on 540 kc, and had been told the station's coverage was "extremely satisfactory" but on occasion in turning on the transmitter in the morning, automatic alarms on the Pacific Coast had been set off. He couldn't say whether the alarms were American or British made.

The Commission staff plans to investigate CBK further, said Mr. Denny, with a view towards making recommendations.

C. M. Braum, chief of the Non-Standard Broadcast Application Section, Broadcast Division, FCC Engineering Dept., opened the hearings into FM shortly before the noon recess Tuesday, with the statement that as of Oct. 1 there were 248 applications on file for new FM stations and that 46 commercial FM stations are licensed and construction permits are outstanding for seven others.

He submitted a list of exhibits showing data on present FM stations and those proposed and a map depicting present FM coverage and potential coverage under the applications now on file (see map Supplement page 13). Another exhibit gave present allocations for commercial and noncommercial educational FM stations as 42-50 mc; those proposed by IRAC as 42-45 mc, and the RTPB, 41-56 mc.

C. M. Jansky Jr., chairman of RTPB Panel 5 on FM Broadcasting, submitted complete data on his panel's discussions and actions, which included a recommendation that the FCC allocate 75 channels for FM in the 41-56 mc band, using 200 kc channel width.

Under cross-examination by Mr. Denny, Dr. Jansky said as far as could be determined, the present band is most suitable for FM. He said a system of zoning might be adopted to avoid or reduce skywave interference, although he added "I do not believe at this time that our knowledge of vagaries that exist in the FM broadcast band is sufficient to justify a conclusion that zoning of stations will be necessary to avoid whatever the detrimental effects of skywave interference may be."

Dr. Jansky said the distance between New York and Chicago is that "with which we are concerned." He endorsed a suggestion by Mr. Denny that auto ignition systems be redesigned to prevent interference. He said a median intensity of 50 mv/m will render good service in rural areas. By median intensity of 50 microvolts per meter, he said he meant that over a "given element of distance along a radial this intensity will be exceeded over 50% of that distance." The 50 microvolt standard is based, he added, upon a receiving antenna 30 feet above ground.

Dr. Jansky opposed a change of FM to a higher spot in the band because of several factors. He didn't favor narrowing the FM channel because, he explained, "it doesn't follow that by decreasing the width we can use every other channel; we may have to use every third channel. The problem is one of receivers." Reducing the channel width also would make multiplex operations "more difficult," he as-

(See Supplement page 9)

FAR AWAY from the wars of Europe, the Pacific and Washington, is Neville Miller, former NAB president, now senior deputy chief of UNRRA, Balkan Mission, headquartered for the present in Cairo. He is shown here with the Mayor (Sheik) of Memphis, on the desert outside Cairo. In a letter dated Sept. 15, Mr. Miller said he had been in Cairo about two months. All relief and rehabilitation activities in the Balkans fall under the jurisdiction of the agency, which will move to the continent with the Allied occupation. Mr. Miller's address is: UNRRA, APO 787, c/o Postmaster, New York City.

Sarnoff Cited

COL. DAVID SARNOFF, president of RCA, on leave with the U. S. Army Signal Corps., now attached to Gen. Eisenhower's headquarters as special consultant on communications, has received the Legion of Merit for "exceptionally meritorious conduct in the performance of outstanding service," according to a Reuters dispatch from SHAEF in Paris, dated Oct. 11. Col. Sarnoff was cited for his "outstanding devotion to duty and his courage and great diplomacy in handling the French citizens," the report stated.

Muzak Projects Nationwide FM Circuits

Fly, Ruml, Bowles May Participate In Enterprise

REBIRTH of the "wired radio" dream of a decade ago, through the vehicle of FM and *Muzak*, whereby nationwide service on a non-advertising public subscription basis would be made available, was projected before the FCC last Thursday by Joseph L. Weiner, former OPA official and chief counsel for William B. Benton, president of Muzak Corp., chairman of Encyclopedia Britannica Inc., vice-president of the U. of Chicago and former head of Benton & Bowles advertising agency.

More than a hint that FCC Chairman James Lawrence Fly might be associated in some way with the ambitious project, for which 10 million dollars presumably would be raised, came with the presentation to the FCC allocation hearings. Mr. Fly, although he had presided until Mr. Weiner took the stand, called a 5-minute recess and did not return.

Post Offered Fly

This magazine has ascertained that Mr. Fly has been proffered a post with *Muzak* and the Benton radio-music enterprises upon his contemplated resignation from the FCC immediately following the elections. While Mr. Fly has consistently declined to comment, it is generally expected he will open law offices in New York and possibly Washington. This, however, would not preclude his association with the *Muzak* project as an executive or as a member of its board.

In an interview with Larry Wolters of the *Chicago Tribune* last Friday, Mr. Benton admitted he had offered Chairman Fly an executive post. He said while he assumed Mr. Fly would "resign from the FCC sometime," he did not know whether he would accept the position.

Mr. Weiner revealed that Beardsley Ruml, chairman of the Federal Reserve Bank of New York, executive of R. H. Macy & Co., and nationally-known tax expert, had consented to serve on the board and that Mr. Benton also anticipated that Chester Bowles, OPA administrator and former partner in Benton & Bowles, would likewise join him when his public duties permit. The balance of the board would also consist of "equally responsible and representative persons", Mr. Weiner said.

Mr. Benton owns all of the common stock of Muzak Corp. The North American Co., public utilities operators, own the preferred.

Largely Transcribed

It has been a more or less open secret that Mr. Benton eventually proposed to expand *Muzak* into a subscription service, largely transcription. *Muzak* is fed to restaurants, hotels and other public establishments by telephone line. It is recorded, using AMP libraries. The home service, however, differs in that FM frequencies would be used for three separate channels of program service to homes throughout the country. *Muzak*, or the new subsidiary would provide the program service.

Mr. Weiner asked the Commission to set aside "a suitable number of channels" for this proposed new service. Preference was expressed for frequencies at the top of the FM band. A special patented attachment for the FM receiver would preclude tuning of these frequencies by other than subscribers; non-subscribers would get a "pig squeal".

The original wired radio project of more than a decade ago, tried experimentally in Lakewood, O., suburb of Cleveland, proposed use of power or telephone lines entering the homes for transmission of program service. Special bands of frequencies, adhering to the outer surface of the lines, without interference, were to be employed for the program transmission. That project has been abandoned with the request for special frequencies for the subscription service, which would be purchased without advertising and with subscribers paying a rental fee.

Mr. Weiner discoursed intimately though disparagingly on present-day commercial radio service. Associated with Mr. Benton and *Muzak* and AMP for several months has been Victor M. Ratner, former ace sales promotion manager of CBS. He is promotional consultant for the Democratic National Committee. Mr. Ratner left the Government about a year ago, after having worked with OPA in wartime campaigns. The research and the presentation reflected intimate knowledge of the workings of network radio.

May Be Reunited

Mr. Benton

Mr. Bowles

Mr. Weiner was cross-examined briskly by members of the Commission and its general counsel, Charles R. Denny, and by Robert T. Bartley, of the NAB executive staff, and Tom C. Harris, RCA-NBC attorney and former assistant general counsel of the FCC.

Commissioner Jett raised the question of maintenance of an exclusive service of that character by *Muzak*, inferring monopoly, but the attorney-witness said his company would welcome additional parallel service, even though the proposed operation would compete directly with commercial broadcast service.

In the ensuing examination, questions were raised whether such a service would constitute "point-to-point" operation not permitted for broadcast services; whether there would not be a direct violation of the "duopoly" rules, since the plan entails a minimum of three channels (or transmitters) licensed to the same company in the same city to provide the three-phase service; whether in fact six rather than three channels would not have to be supplied, since FM allocations are on an alternate channel basis in the same area to avoid interference; whether the service would not be limited to a fraction of the radio audience.

FCC Grant Recalled

In connection with the presentation, it was recalled that the FCC on July 1, 1941 authorized Muzak Corp. to operate an experimental FM station to try out the "pig squeal". Mr. Weiner reported the station was not constructed because of shortage of materials, but that other laboratory work was done which led them to the belief that the system is technically feasible. In the 1941 action, the FCC announced that engineers from Associated Music Publishers Inc., of which *Muzak* was originally a subsidiary, had worked on the project. *Muzak* is the successor to Wired Radio Inc.

The Commission then said that its rules prohibiting a direct or indirect charge by the licensee of a developmental station for program transmission, under the circumstances presented by *Muzak*, should be construed in such a manner as to permit the proposed operation.

Under cross-examination, Mr. Weiner emphasized that the "pig squeal" frequencies should be at the end of the dial so the non-subscribing public would not be disturbed in tuning through the band. The squeal was described as a 3,000-cycle note which was removed by "phase opposition". He said that if the service was authorized, he was confident set manufacturers would design their receivers to accommodate the additional tube of special design required for tuning the particular frequencies. This point, however, was disputed in the examination conducted by Mr. Harris for RCA.

Muzak would be disposed to go into many cities and towns to provide the service if it felt the Commission would grant the applications, Mr. Weiner said. But he felt this might be construed as "against public policy". He was confident others would inaugurate the service.

General Counsel Denny closed the cross-examination by bringing out that if 100 channels were set aside for FM and 85 were devoted

(*See Supplement page 14*)

FOR A JOB WELL DONE, superintendents of the two Congressional radio galleries were presented wallets containing $100 checks, gifts of the Radio Correspondents Assn. and the major networks, at a luncheon last Monday (Oct. 9) in Washington's Mayflower Hotel. Officials are (l to r): Sen. Joseph C. O'Mahoney (D-Wyo.), Willard D. Egolf, NAB Director of Public Relations; Earl Godwin, Blue commentator and association president; D. Harold McGrath, Senate Radio Gallery superintendent; William Vaughan, acting superintendent of House Radio Gallery. Sen. O'Mahoney paid tribute to Washington's radio newsmen for the "fair and accurate" job of reporting they are doing. Mr. Godwin lauded the superintendents for their "splendid cooperation" with radio newscasters and Mr. Egolf called for more room at the Capitol for radio correspondents. Luncheon guests included Rex Goad of Transradio-Press, association secretary; Richard Harkness, NBC commentator, vice-president; Col. Albert Warner, chief of War Intelligence Section, War Dept. Bureau of Public Relations, former CBS commentator; Capt. Robert Menaugh, Col. Warner's assistant, former House Radio Gallery superintendent; Hardy Croxton, assistant to Mr. McGrath; William R. McAndrew, NBC Washington news chief; Madeline Ensign, WOL-Mutual program director; Frank M. Russell, Washington vice-president, NBC; Earl Gammons, CBS Washington director; William Costello, association treasurer; Carleton Smith, general manager, WRC Washington.

Kick in the Teeth—Petrillo Style . . . *An Editorial*

THE CAREER of James Caesar Petrillo has now reached its zenith. Added to his long and unbroken list of conquests is the President of the United States. Politely but firmly he has rejected the President's personal plea that the AFM ban on recordings be lifted.

Protected by the Wagner Act which places labor unions beyond the reach of the law so they can coerce, intimidate and conspire, but makes these acts illegal for anyone else, Jimmy has told all and sundry to do their worst. Only if the President asked him, he declared, would he withdraw the ban on recordings. The President asked. But Jimmy (and his mouthpieces) in a nine-page telegram advised the President that the facts had changed in the 26 months since the ban was imposed, and he was sorry but he just couldn't comply.

Jimmy's latest performance can be expected to result in precisely what the President feared —encouragement to other labor groups essential to the war effort to defy rulings of the War Labor Board. Jimmy, we imagine, is now the biggest guy in labor. By degrees he has established a dictatorship that permits him to call the tune wherever music is performed. Doubtless today he's the most important man in radio, because he can pull the plug on networks or independent stations alike.

It's probably folly to attempt to dissect Jimmy's telegram to the President. It is cleverly contrived. With all the stops out, he tells of the patriotism of his organization, and of how "105" firms had signed his kind of contract, including the private relief provision whereby a fixed royalty ranging from ¼ cent per record to 3% per transcription is paid by the manufacturer to the AFM. The only solution, he contends, is for the recording units of RCA-NBC and Columbia Recording to accept the same contract the other 105 companies have signed.

But did Jimmy relate the conditions under which those companies signed? Did he point out it was 13 months before the first company capitulated? Did he reveal that four other companies signed a month later, under duress and for competitive reasons? Did he relate that his original contention was that his men just didn't want to record "canned music" and simply quit? That can't be deduced from his milk-and-honey telegram, which adroitly infers that the signatory firms simply walked in the front door, pens and hats in hand.

There are a couple of other points. Originally there were seven companies in the dispute, doing just about all of the recording business. Some weeks ago, AFM said about 80 companies had signed, presumably including the one-man shops—just everything, it was figured—aside from RCA-NBC and CRC. Where then the 105? Moreover, there was no mention of the known fact that before the strike RCA-NBC and CBS represented the lion's share of the recording business—perhaps some 75%.

Then there's the matter of gratis performance for the Government, which permeates the honey-swept effusion to the President. Early last year, when Jimmy was still shouting that the AFM was "second to none" in contributing its service, there developed the story that AFM members were collecting about $25,000 a year from the War Dept. for entertaining men in combat zones through *Command Performance* recordings, while other talent, including top radio, movie and concert artists, donated their services. At that time the Los Angeles Local 47 of AFM, whose members were paid $24.50 for each performance, or $25,480 per year, pointed out that AFM national headquarters (which means the redoubtable Jimmy) had approved the charge.

Maybe Jimmy has changed that now.

But back to the question. What's the solution? The President hasn't taken Jimmy's politely-phrased "to-hell-with-it" retort lying down. He has ordered a legal study to determine whether the Government can compel compliance, but he says there are about 40 laws to be scrutinized. There can be no punitive action under the Smith-Connally Act, because Justice Vinson has determined that the dispute is not "impeding the war effort". And WLB Chairman William H. Davis states the case is closed as far as his board is concerned. The Dept. of Justice tried to act but was tossed out on its ear by the courts. Whether the Attorney General can find some other legal basis is doubtful, because that was tried before. We think Justice Vinson was wrong. Can't he be reversed?

Jimmy then rides high and serene. The RCA and CBS recording companies can accept Jimmy's terms, private WPA and all, or go out of business. Jimmy will get control of a slush fund perhaps unequalled in union history—an estimated $4,000,000 a year return from the royalties alone.

The answer now is for Congress to undo the wrong it perpetrated in enacting the Wagner Law, which, as interpreted by the courts, gives to a man of Jimmy's ambitions greater power than any ever held by a labor czar.

If Jimmy's defiance of the President serves any purpose other than his own, it is to make crystal clear to Congress why a change in statute is needed.

EDITORIAL REACTION TO PETRILLO

EDITORIAL reaction to J. C. Petrillo's message to the President, refusing compliance with the War Labor Board directive of June 15, as reflected in leading newspapers as of last Friday, follows:

New York Herald Tribune

The plea was humiliating enough; this response to it simply adds the finishing touch to as disgraceful an obeisance of Government as the history of the country affords. It provides a dramatic and thoroughly deserved climax to a labor policy which, since the inception of the New Deal, has encouraged union contempt for those restraints, moral and legal, to which all the rest of us are subject.

New York Times

The probable response to Mr. Petrillo's latest action, as in the past, will be a great deal of indignation directed against Mr. Petrillo personally. Such indignation misses the point. Mr. Petrillo can exercise irresponsible private dictatorial powers, he can employ anti-social means to secure anti-social ends, while leading Administration officials profess their powerlessness to do anything about it. If they are right, isn't it about time that we re-examined the network of Congressional laws, administrative rulings and Supreme Court decisions which grant sweeping legal immunities to the unions and in effect give a go-ahead signal to their leaders to commit acts that would be illegal if committed by anyone else?

Washington Times-Herald

Ever since the President made his telegram public, his political enemies have been making capital of the contract between his kowtow to Petrillo and his Attorney General's bouncing of Sewell Avery off Montgomery Ward's own premises in Chicago last spring. Petrillo's cocky refusal to grant the President's request will give Roosevelt's enemies still more ground for shouting that he is a tool of labor racketeers and an enemy of private enterprise and enterprisers.

The object of such shenanigans would be to convince a lot of voters that Mr. Roosevelt, when it comes to telling labor leaders where to head in, is as bold as a lion. The hope would be that this impression would last through election day.

Washington Star

The character of the dispute between Mr. Petrillo and the recording concerns is worth noting. When the recording companies sell a record he wants them to pay a fee directly to the union treasury, and not to the musicians making the record. Obviously, this is very much to the advantage of Mr. Petrillo; it may or may not be to the advantage of the musicians.

But the really significant aspect of the controversy has to do with the dignity and the authority of the Government. When a mail order house in Chicago defies the War Labor Board the Government calls on the Army to enforce its will. When Mr. Petrillo defies the Government the President sends a telegram pleading with him for compliance, and is answered with a flat refusal. If the President proposes to accept this as a final answer, the contrasts in Government procedure will not be forgotten by the American people.

New York World-Telegram

Our guess is that Mr. Petrillo will get away with it. He has managed to get away with more notorious defiances than this one. For he enjoys special immunity from antitrust laws, as interpreted by the New Deal courts, and special immunity from Presidential wartime powers, as interpreted by New Deal administration lawyers.

But we know what would happen to Mr. Petrillo if he were an employer engaged in manufacture or trade. When Cy Avery of Montgomery Ward & Co. defied a WLB directive the army took over his mail order house, and two husky soldiers carried Cy off the premises. But nothing like that will happen to Caesar. For he's a labor union leader, drawing about $80,000 a year in salary, expenses and perquisites—and the New Deal mustn't be harsh with him.

New York Daily Mirror

The Administration coos a plea in the ear of CAESAR Petrillo because CAESAR controls votes. But an employer of labor like [Sewell] Avery directly controls no votes, so he gets the "bum's rush".

James CAESAR Petrillo violated and defies an order from the WLB.

Why isn't he arrested, "seized" or carried out by troops?

The answer is plain:

This Administration is making fish of one class of citizens and gamecocks of another.

VOTES count—not LAW!

Washington Post

The President of the United States has asked a citizen, "in the interest of orderly Government," to accept a directive from a Federal agency. "What you regard as your loss," he said, "will certainly be your country's gain." It is hard for us to understand how any American in wartime, whether Sewell Avery or James C. Petrillo, can reject such a plea. Individual or group claims can be adjudicated when the national need has been fulfilled.

New York Sun

Mr. Petrillo seems to have won his battle on all counts—except for one thing. When Mr. Justice Frankfurter wrote the opinion which permits Mr. Petrillo to starve the country of classical records, two of the justices, including former Chief Justice Hughes, dissented. They dissented because, as they said, Mr. Justice Frankfurter had rewritten the statutory law in behalf of labor in a way to constitute "a usurpation by the courts of the function of Congress."

If Congress' function was usurped to give Mr. Petrillo the power which he now exercises, Congress can take that power back by undoing the usurpation.

Philadelphia Inquirer

Boss Petrillo represents the perfect flower of the Roosevelt Administration's policy of coddling and appeasing ruthless labor leaders and conscienceless pressure groups.

Whereas business heads who clash with the New Deal are swiftly cracked down upon, even to the point of seeing their factories and stores taken over by the Government, Petrillo was pleadingly asked by Mr. Roosevelt, to yield "in the interest of orderly Government."

Petrillo Refusal Arouses Wrath of FDR

Asks Legal Study; RCA, CRC Hit AFM Reply

Text of Petrillo telegram to President on Supplement page 8; RCA-CRC statement, page 12.

STRIKING back at James C. Petrillo, president of the American Federation of Musicians, for his refusal to end the recording ban, President Roosevelt last Friday declared he will pursue the case further to compel compliance with his request to the AFM leader to obey the War Labor Board directive of June 15. The President said he would like to do something about it if he can find legal authority to act.

Following the President's observations, RCA Victor, NBC Recording and Columbia Recording Corp. issued a joint statement expressing encouragement that Mr. Roosevelt has not taken "no" as a final answer. "We are strong in our hope," they declared, "that the President under the law will find legal power to put an end to Mr. Petrillo's defiance of this Administration."

Object to Principle

The statement challenged Mr. Petrillo's accusation that RCA and Columbia were seeking competitive advantage, declaring there was no objection to the amount of royalties but to the "dangerous principle" of payment of the fees into the AFM treasury, "which would make the union officials independent of the union membership".

Fast upon the heels of the President's comment, Dept. of Justice officials instituted a study of Federal statutes bearing upon Mr. Petrillo's ban on recordings. The President was asked at his news conference whether there would be further action, and the Chief Executive, plainly aroused, said there was a great question whether he could do anything legally because Economic Stabilization Director Vinson had held that the dispute is not impeding the war effort. The President said there were about 40 laws to be studied, and at the Dept. of Justice it was stated that the anti-trust laws as well as the war and criminal statutes would be reviewed.

The WLB, which had the dispute nearly a year before it issued its directive, has closed its proceedings on the case. Asserting the matter "is closed as far as the Board is concerned," William H. Davis, WLB chairman, told a news conference that "in this case the order of the Board becomes a recommendation of a mediation board without power of enforcement, and when that happens in a democracy, the only thing you are calling on is public opinion.

"I think that Mr. Petrillo is kind of lonely in his position, although I wouldn't say alone," he observed.

Mr. Davis agreed with a reporter's opinion that the reaction to Mr. Petrillo's refusal of the President's request would be against Mr. Roosevelt rather than Mr. Petrillo.

Mr. Petrillo's telegram was dispatched from Chicago shortly before noon on Tuesday after a 10-hour session with his International Executive Board on Monday and a two-hour session on Tuesday morning. Board members present were Charles Bagley, vice-president; Leo Cluesman, secretary; Thomas F. Gamble, treasurer; Joseph A. Padway, counsel; Joseph N. Weber, honorary president; Chauncey Weaver, John W. Parks, Oscar F. Hild, Herman D. Kenin and Walter M. Murdock.

Mr. Petrillo released copies of the telegram at a news conference at the Morrison Hotel. He said the AFM now has 138,000 members of whom 35,000 are in the armed forces and is making postwar preparations to take care of unemployment from fee payments collected from the recording and transcription companies. The funds will be used for "musical culture", he said, adding there will be "no WPA out of this".

In refusing to comply with WLB directive, Mr. Petrillo advised the President he was no longer bound by statements he made in 1942 and 1943 that he would lift the ban if Mr. Roosevelt so requested. He said that at the time he made these statements "no records were being made by us for any record manufacturers and no such manufacturers saw fit to ask you to intervene, but sought instead through court procedure and through a Senate investigation to compel us to make records without regard for either our rights or our desires."

He pointed out the AFM has since entered into contracts with 105 companies and is now making nearly 4,000,000 records a month. He said that it was because of the confidence the union had in the President that he made his offer and he pointed out that it was given wide circulation and that the companies knew of it.

Free Work

"Now, 26 months after the ban was imposed, realizing that the circumstances have greatly changed, virtually making it impossible to lift the ban as to these two companies without disrupting the relationships brought about by 105 existing contracts, they run to you, Mr. President, and ask you to aid them," he stated.

Mr. Petrillo denied that a strike has been in progress. "We have never struck against any of these companies and certainly we have never struck against the Govern-

(*See Supplement page 15*)

NEVER ONE to shy from publicity, AFM Czar James C. Pettrillo (center) poses here preparatory to the meeting of his board in Chicago last Monday, at which President Roosevelt's plea to end his 26-month ban on recording was rejected. At left is C. L. Bagley, vice-president; at right is Joseph N. Weber, honorary president and general adviser of AFM, from whom Petrillo wrested the presidency several years ago.

AS CARTOONISTS SEE IT

PLEASE!
By Rube Goldberg.
GOVERNMENT BY REQUEST - NOT BY LAW
PLEASE, PETRILLO, LIFT YOUR BAN ON RECORDINGS
HE DOESN'T REQUEST ME - HE ORDERS ME

Rube Goldberg in N. Y. Sun

Berryman in Washington Star

Talburt in Washington News

Foresee $1,000,000 or More As Campaign Air Time Sales

GOP and Democrats Turn to Radio For Last-Lap Political Talks As Election Draws Near

TWO MAJOR political parties will spend more than $1,000,000 for radio before the end of the campaign, it was estimated last week on the basis of broadcasts to date and future commitments. Republicans have spent between $175,000 and $200,000 so far and the broadcasts they have scheduled between now and Nov. 7 should run the total over the $400,000 mark, to which it is probably safe to add another $100,000 for end-of-campaign expenditures. Democrats have spent roughly $250,000, which will undoubtedly be more than doubled before Election Day.

Less Than '40

Figures are well below the 1940 level, largely because of shrewder buying tactics by the national committees. At Republican headquarters it was pointed out that Gov. Dewey's radio consciousness keeps him from running overtime on his broadcast addresses, so that the party is spared the necessity of paying extra time and talent costs. The latter run into a large proportion of the campaign radio expenses as the party must pay for the talent on a program cancelled for a political talk, as well as for the time.

Republican National Committee also pointed out that although it has paid for all nationwide broadcasts for its national ticket its radio bill is less than that of the Democrats as it has not purchased stations in the "Solid South" (except where it was necessary because those stations were part of the network used by the commercial program cancelled to make way for the political broadcast.)

Democratic plan of using five-minute network spots instead of half-hour periods has helped to keep down this party's radio expenditures, as has sponsorship of broadcasts in behalf of the Roosevelt-Truman ticket by the CIO, the Teamsters Union and the ILGWU. To assist the Democratic National Committee to maintain its radio schedule, the New York newspaper *PM* last week launched "Pay a Dollar to Put Your President on the Air" campaign among its readers which it urged other newspapers to copy.

Drive brought in contributions aggregating $9,000 the day following appearance of the first story.

As the campaign reaches its final stage, more frequent political broadcasts are scheduled by both parties. Gov. Dewey has eight broadcasts scheduled between now and Nov. 6; his running mate, Gov. Bricker, will be heard three times more. President Roosevelt will broadcast from the Foreign Policy dinner Oct. 21 and undoubtedly will be heard on the party's election-eve, hour-long broadcast on all four networks as well, with other talks a distinct possibility. Sen. Truman will make four more radio talks; Former Governor Cox of Ohio, station owner who was Democratic candidate for President in 1920 with Roosevelt as his running mate, and other speakers will also broadcast for President Roosevelt's re-election.

HIGH TRIBUTE PAID W. E. MACFARLANE

(See earlier story page 50)

HIGH TRIBUTE to W. E. Macfarlane, chairman of the executive committee of Mutual, one of its founders and its first president, who died unexpectedly Oct. 9 in Chicago, was paid by his associates on the network last week. Funeral services were held Oct. 11 at Rose Hill Cemetery Chapel in Chicago. Death was caused by coronary occlusion. Mr. Macfarlane became ill in his sleep and died without regaining consciousness, shortly after his physician had reached the bedside.

Alfred J. McCosker, chairman of the board of the network, said:

"Mr. W. E. Macfarlane's leadership and inspiration will be deeply missed by the Mutual Broadcasting System, of which he was a co-founder ten years ago this month. Mr. Macfarlane brought to the radio network industry and to the Mutual Broadcasting System a rich background of newspaper and radio experience. For eight years he served as president of the Mutual network, and subsequently, to the time of his passing, a chairman of the executive committee."

Miller McClintock, president and successor to Mr. Macfarlane in that post, stated:

"The entire Mutual Broadcasting System has been deeply shocked and grieved by the passing of Mr. W. E. Macfarlane, who afforded great leadership as chairman of its executive committee and formerly as president. Mr. Macfarlane had one of those rare combinations of idealism and practical approach to the problem of network radio. Much of the progress which the Mutual Broadcasting System has made since its birth 10 years ago was due to his steadfast dedication of the network to the principles of the co-operative welfare of its affiliated stations. The Mutual organization will surely miss his inspiration, guidance and friendship."

WASHINGTON STATE Apple Committee, Wenatchee, on Oct. 16 starts sponsorship of Ed Jorgenson's thrice-weekly newscasts on 15 stations of the Pacific Coast Blue Network. Contract is for 26 weeks. Agency is J. Walter Thompson Co., San Francisco.

CAB Rates Candidates

RATINGS of political broadcasts measured by the Cooperative Analysis of Broadcasting during September show the Presidential candidates attract more than twice the audience of the next nearest speaker, Gov. Bricker. President Roosevelt, Sept. 23, CBS and NBC, 26.4. Gov. Dewey, Sept. 25, NBC and Blue, 20.9; Gov. Bricker, Sept. 9, all nets, 9.7; Sen. Stewart, Sept. 12, CBS, 5.3; interviews by Lynn Sumner and George Cushing, Sept. 15, NBC, 5.1; Rep. Dirksen, Sept. 27, MBS, 3.3; Rep. Dirksen, Sept. 13, MBS, 2.8; Democratic Hour of Decision, Sept. 27, Blue, 1.7; Sec. Ickes, Sept. 12, Blue, 1.6; Sec. Ickes, Sept. 24, MBS, 1.6.

WNYC Politics

WYNC, New York's municipal station has set aside a five-times weekly half-hour period at 9 p.m. for the Democratic and Republican National Committees, who are offered equal time each night to correct campaign mis-statements. Each party has set up a panel of speakers, to handle the rebuttals.

Hooper Drops Party

RELEASE by Democratic National Committee of audience ratings of Gov. Dewey and President Roosevelt [BROADCASTING, Oct. 2], taken from special surveys made by C. E. Hooper Inc., caused the research firm to cancel the service, claiming the release was not authorized. Committee said matter had been discussed with the Hooper organization in advance and they had understood release had been approved.

Adam Hat Plans

ADAM HAT STORES, New York, has appointed Buchanan & Co., New York, as agency, and is considering promotion plans in spot or network radio. In view are a five-minute "comic strip" disc on 100 stations, a half-hour or quarter-hour network show, and a series of network broadcasts of boxing bouts under the auspices of a projected new syndicate of boxing promoters. Continuing sponsorship of matches on WHN, Adam Hat starts this week a similar series on WMIN Minneapolis, and is negotiating for several other local fights.

Gen. Harbord Outlines RCA's History In Celebration of Firm's 25th Year

TO COMMEMORATE the 25th anniversary of the founding of RCA, Lt. Gen. James G. Harbord, chairman of the board reveiwed the history of the company and stated that we are fighting "what almost might be called a 'radio war' because the science of radio-electronics is playing such a conspicuous part for victory," in commenting on RCA's contribution to the development of communications and electronics in war and peace during the last quarter-century.

Gen. Harbord

Gen. Harbord recalled that RCA was created in 1919 at the suggestion of U. S. Navy officials, to give America a system of international radiotelegraph communication independent of foreign interests. "Due to the far-sighted thinking of our leaders at the end of World War I," Gen. Harbord said, "the United States is today preeminent in world communications." American radio has been in the war from the first, as an eager volunteer, the RCA board chairman continued, with production for the armed forces now totaling $250,000,000 monthly in the U. S.

RCA's production of radio, electronic, and sound equipment for the armed forces of the U. S. and the United Nations increased nearly 100% in 1943 over 1942, according to Gen. Harbord, who revealed that 1943 RCA production amounted to $222,000,000 with unfilled orders on July 1, 1944 totaling $300,000,000. RCA personnel now number 42,000 of whom 48% are women. More than 7,000 RCA employes have joined the armed services and 49 have given their lives.

Gen. Harbord pointed out that when RCA was formed a quarter-century ago the annual business of the radio industry was estimated at $2,000,000 when radio was a relatively "feeble" and unstable service of "dot-dash" communication. The first research laboratory was located in a tent on Long Island near the site of RCA's great transmitting and receiving stations at Rocky Point and Riverhead, Gen. Harbord recalled. "Shortly thereafter the electron tube was developed as the key to great advances in the science and art of radio," Gen. Harbord said.

Gen. Harbord stated approximately 21,777,000 RCA radio and phonograph instruments have been put into use throughout the world, 452,000,000 electron tubes sold since 1930, and the company's Victor division produced 294,000,000 phonograph discs in the period.

AFRA Accord

AGREEMENT to maintain the status quo on the basic terms of the AFRA commercial code for the time being was tentatively reached at a meeting of AFRA executives with networks and agencies in New York last Friday, ending a deadlock that has stalled negotiations of a new contract for more than a week. If approved by both sides, format of existing contracts will be kept unchanged, and negotiations will be confined to wages and working conditions. Union had earlier agreed to agency-network demands for local negotiations of regional scales in Chicago and on the West Coast, but had stood pat for a single national contract with regional differentials, whereas the network-agency group had asked for individual contracts for major program production cities.

Frankensteen Attacks Code Provisions, Says Labor Should Be Given Free Time

ABOLITION of the NAB Code was urged by Richard T. Frankensteen, vice-president of UAW-CIO, in a statement read Thursday to a special New York meeting of the NAB Code Committee by Ernest Goodman, attorney for UAW.

Statement, including a five-point plan for the handling of labor unions and other non-profit organizations on the air, advanced as an alternative to greater governmental regulation and control, was made at the request of the Committee, which took it under consideration.

Reviews WHKC Case

Reviewing the CIO-WHKC case, in which the union had protested the station's treatment of labor broadcasts, the Committee felt that the Code had not been properly interpreted, and that if it had been there would have been no grounds for complaint. Committee also discussed at length the entire Code, recommending that this study be continued by the new Code Committee which J. Harold Ryan, NAB president, is expected to appoint shortly. Two-day "lame-duck" session in New York was technically a continuation of the Committee's meeting in Chicago at the time of the NAB Executives War Conference, which was recessed for the express purpose of affording a hearing to Mr. Frarnkensteen.

Mr. Frankensteen, after charging broadcasters with failure to measure up to their public responsibilities and attacking the Code as "a respectable cloak to justify the refusal of time to labor organizations," suggested that broadcasters should recognize it as a duty to freely offer time to organized labor and other non-profit organizations "for the free and full discussion of issues of public importance, including controversial issues and dramatizations thereof," with time offered primarily on a sustaining basis and without restrictions on subject matter.

Hints at Control

There must be no blanket restriction on the sale of time to unions to "solicit memberships, sponsor political comment or for other such purposes". A station rejecting a written request for time should be required to state its reasons in writing. Broadcasters "should not censor any scripts or delete any matter contained in them, except in accordance with the law and existing regulations of the FCC".

Broadcasters "must recognize an affirmative duty to see that broadcasts on controversial issues, considered on an overall basis, maintain a fair balance . . . week by week and month by month . . . including both sustaining and commercial programs." Stations should review their network programs at frequent intervals to see that this time balance is kept and varying points of view fairly presented.

"Radio has reached a position of tremendous power and influence in our country," Mr. Frankensteen told the Committee. "This enormous instrument of power is now in your hands with almost no regulation or control as far as program content is concerned . . . whether a private industry can be permitted for long to exercise such power without restriction or control is a question which you alone can answer. Perhaps our suggestions here will help you find that answer."

William B. Quarton, WMT, chairman of the Code Committee, presided at the meeting which was also attended by J. Harold Ryan, NAB President; Eugene O'Fallon, KFEL; Grant F. Ashbacker, WKBZ; William S. Hedges, NBC; Felix Hinkle, WHBC; Arden X. Pangborn, KEX; Jan Schimek, CBS; Lee B. Wailes, KYW; Willard Egolf, NAB.

WOAI Names Beaver

CECIL K. BEAVER has been appointed assistant general manager of WOAI San Antonio, it was announced last week by Hugh A. L. Halff, president and general manager of the 50,000 w NBC affiliate. Former assistant manager of KARK Little Rock, Ark. (see story on page 48). Mr. Beaver is a member of the Sales Managers Executive Board of the NAB and is currently chairman of the Fifth District Sales Managers Division of the NAB. He is also credited for his part in the organization and sales work of the South Central Quality Network and the Arkansas Network.

Mr. Beaver

EXHIBITING FISH caught last week at Mt. Home, North Ark., are Norman Heyne (l), timebuyer of Ruthrauff & Ryan, Chicago, and Ralph Foster, general manager of KWTO Springfield, Mo. John Pearson, president of John Pearson & Co., Chicago, was with the party. party.

Joins Duane Jones

LAWRENCE J. HUBBARD, assistant director of research of Crossley Inc., has been named director of research of Duane Jones Co., New York, a new post. Marketing consultant to a number of private business firms, Mr. Hubbard joined Crossley in 1938 as a member of the executive consultant staff. At Crossley, he supervised the study for the Joint Committee of U. S. Radio Ownership on the percentage of families in U. S. urban areas owning radio sets. He also developed a plan for determining radio audiences which would allow projections against population figures. The sectional measurement plan used by WOR New York in its "Continuing Study of Radio Listening" for three years was set up by Mr. Hubbard.

Mr. Hubbard

Acquire KGKB Control

CONSENT was granted by the FCC last week for acquisition of control of East Texas Broadcasting Co., licensee of KGKB Tyler, Tex., by James G. Ulmer and Mrs. Minnie B. Ulmer through transfer of 12 shares common stock from J. G. Kretsinger to Mr. Ulmer for $10 cash and cancellation of a promissary note for $300. Previously holders of a 73.6% interest in KGKB, part of which was voluntarily relinquished because of license revocation hearings several years ago alleging hidden ownership [BROADCASTING, Feb. 15, 1940], the Ulmers now hold 50.8% of the voting stock by acquiring the 12 shares.

Jergens 5-Minutes

ANDREW JERGENS Co., Cincinnati (Woodbury soap, lotion), on Dec. 3 starts a five-minute commentary featuring Louella Parsons, Hollywood and newspaper columnist, Sunday, 9:15-9:20 p.m. (EWT). Series will include program capsule reviews as well as Miss Parson's personal views on Hollywood. Lotion firm also sponsors Walter Winchell, preceding quarter-hour program, as well as *Hollywood Mystery Time*, which will be shortened to 25 minutes with start of movie-commentary series. Lennen & Mitchell Adv., New York, has the account.

Ryan Explains Plan

BACKGROUND, objectives and details of the NAB plan for standard station coverage measurements were explained last Monday by J. Harold Ryan, NAB president, and Paul Peter, NAB research director, at the opening session of the Radio Executives Club of New York at the Hotel Roosevelt, New York. Plan, involving the biannual mailing of a million ballots at a cost of $1,000,000, was unanimously adopted at the NAB War Conference in Chicago and since has been approved by the American Association of Advertising Agencies, with the Association of National Advertisers expected to give its official approval at a board meeting Oct. 23. The three groups will then appoint a committee to set up an operating organization.

Blue Foreign News Is Added to Co-ops

Florsheim Expects Newscasts To Decrease After Election

BLUE NETWORK'S morning program of foreign news pickups, *Around the World*, on Oct. 30 will be added to the list of Blue cooperative programs available for sponsorship by local advertisers in their own communities, Stanley Florsheim, manager of the Blue cooperative program department, announced last Thursday at a luncheon at which he explained his department's operations to representatives of trade papers covering food, drugs, jewelry, beverage and other industries in which the Blue has recently started an advertising campaign.

Explaining the Blue's aim to give the local advertiser a chance to sponsor top network programs as part of the network's idea of public service and also as an aid in building listening to Blue outlets, Mr. Florsheim said that more than 400 local and regional advertisers are now sponsoring Blue cooperative programs. The network sells the program only, he said. The station handles all time arrangements and the local advertiser has the guarantee that he will not be ordered off the air to make room for a national program.

Listing Martin Agronsky, Baukhage, Walter Kiernan, Henry J. Taylor, *Green Hornet*, *Dick Tracy* and *Mystery Chef* as current Blue co-op shows, Mr. Florsheim said that the emphasis on news would diminish after election, and that the commentaries of Henry Taylor would be replaced by a different type of program about the first of the year.

Bendix Spots to Be Aired 6 Weeks on 138 Outlets

BENDIX HOME APPLIANCE Inc., South Bend, Ind., will begin sponsorship of spot announcements Oct. 23 for six weeks on 138 stations through Ruthrauff & Ryan. Stations are:

WIBC WIRE WFBM WISH WJAX WSLI KCMO WDAF WHB WBIR WNOX KARK KGHI KLRA KBON WOW KOIL WBRW KFBI KFH KANS KFJZ WWJ WXYZ CKLW WJR KOCY KOMA KTOK WCOA WCAU WIP WFIL WIBG WEAN WJAR WPRO WDOD WDEF WDAY WSBT WHOP KMPC KNX KMTR KFBK WAPI WSGN WEEI WNAC WBZ WAYS WBT WRVA WMBG, WRNL WRAK WSBA WORK WLOL KSTP WCCO WTCN WENR WLS WGN WBBM WIND WLW WSAI WKRC WHK WTAM WGAR WBNS WCOL KTSA WOAI KABC KONO KGO KQW KSFO KJBS KIRO KOL KOMO KXA WSPD WGRC WAVE WHAS WINN WNEW WOR WEAF WABC WELI WTAR WGH WIBC WABY WOKO WFBG WAGA WATL WSB WBAL WCAO WFBR WOL WMAL WTOP WRC WSIX WLAC WHBQ WMC WREC WMPS WTMJ KRNT KSO KVOO KTUC KOME KVOR WIBA WDBJ WOOD WKZO WSOY KOA KLZ KMJR KFEL WRR KRLD.

PILSEN BREWING Co., Chicago, has begun a quarter-hour *Today's News in Chicago*, featuring Rog Underhill, Monday through Saturday on WIND Chicago. Contract for 52 weeks was placed by E. H. Brown Adv., Chicago.

PETRILLO'S TELEGRAM TO THE PRESIDENT

JAMES C. PETRILLO, president of the AFM, sent a nine-page telegram to President Roosevelt Oct. 10, following a meeting in Chicago of the AFM International Executive Board to consider a request from the President that the union comply with the National War Labor Board directive of June 15 to resume recording operations at RCA Victor Division of RCA and Columbia Recording Corp. Mr. Petrillo's telegram follows in full text:

My dear Mr. President:

In response to your communication of October 4th I called a meeting of the International Executive Board of the American Federation of Musicians for October 9th at Chicago for the express purpose of acting upon the subject of your telegram. All members of the International Executive Board were present at the meeting and gave full and deliberate consideration to your telegram. I am directed respectfully to communicate to you the following which represents the unanimous action of the Board.

The Executive Board is of the opinion that were all of the facts and circumstances pertaining to this so-called recording controversy made known to you, knowing your position on labor's rights and your humanitarian viewpoint, you would not ask it to reverse the unanimous action of three conventions and by which action the International Executive Board is bound.

Claims Misapprehension

There is, evidently, a misapprehension concerning the so-called ban with respect to the making of mechanical recordings and transcriptions. A ban was imposed by order of the Convention of the AFM at Dallas, Texas in June, 1942, effective as of August 1st, 1942. This ban applied to all companies and persons engaged in the manufacture of recordings and transcriptions. It is no longer in existence except as to the two companies who now seek competitive advantage over 105 other companies and persons who have entered into contractual arrangements with the AFM and who are now engaged and have been engaged for over a year in the making of recordings and transcriptions. Thus the issue as it existed in August, 1942, has been resolved except for two companies who, as will be more fully pointed out later in this telegram, have refused to abide by the solution procured through the efforts of a panel of the War Labor Board.

The International Executive Board recognizes the fact that it is impossible for you to look into this entire controversy from its inception, that is, from Aug. 1, 1942, or 26 months ago. It is only because of the seriousness of the circumstances and problems confronting the AFM of the United States and Canada that the Board and I presume to impose upon your time by setting forth in some detail the more important facts involved in this matter. Unless fairness and justice prevail a wrong determination may destroy our profession and the livelihood of thousands of members.

May I respectfully direct your attention to this outstanding fact, that is, 105 contracts have been signed to date with the Federation by manufacturers engaged in the making of recordings and transcriptions. All of them are patterned after the contracts which were approved by the panel of the WLB and which were obtained through its efforts at mediation and conciliation.

Affects Existing Contracts

A most important clause in these contracts provides that if we give any other person or company a better contract or more favorable terms and conditions than the existing contracts, the latter must be reformed so as to include the changes and more favorable terms and conditions given to such others. Therefore to request us to resume employment with these two companies who refused to sign contracts with us for the employment of our members, and to work for these two companies on terms different than those now prevailing would be to destroy the benefits and advantages of the 105 existing contracts.

There has been some talk by others that we have struck against these two companies. We have never struck against any of these companies and certainly we have never struck against the Government. During this entire controversy we have made records and transcriptions for practically every Governmental agency, for the armed forces of the United States and our allies, in the overwhelming number of cases without any compensation, and we are continuing to do so. With respect to our patriotism, it is second to none as the following recital of facts will clearly demonstrate.

The Special Service Division of the Army is now pressing over 225,000 musical records monthly and distributing them to the men in the army as well as the personnel of the navy. These records find themselves in the remotest fox-holes in the combat areas wherever the war is fought. The Special Service Division allows no budget for this work and it is done gratuitously by the members of the AFM.

Services Given Gratis

Our donation in service to the Coordinator of Inter-American Affairs' Office has been evaluated by Mr. Rockefeller in excess of one million dollars. This applies also to our gratuitous efforts with respect to the Office of War Information, where Mr. Robert Sherwood has estimated that if he were required to pay for the free music via recordings and transcriptions that he receives for overseas service, it would total not less than one million dollars.

Thus, Mr. President, you can readily see that, where the war effort was and is involved, we have responded without hesitation. That is certainly manifest from the fact that we have supplied our members to do Governmental work for the two companies who refused to contract for the employment of our members for civilian work.

In addition, our outstanding name bands and symphony orchestras are daily appearing in army camps, cantonments, hospitals, bond drives and wherever members of the armed forces are congregated. All these services are being given gratuitously and can be evaluated at millions and millions of dollars.

Agencies Served

The following list of agencies, Governmental, educational and charitable, have also been beneficiaries of our gratuitous services on behalf of the War effort:

U. S. Dept. of Agriculture; Treasury Dept.; U. S. Dept. of Labor; War Dept. (Bureau of Public Relations, Special Service Department, etc.); War Manpower Commission; War Shipping Administration; Dept. of the Interior; War Production Board; Farm Credit Administration; Dept. of State; Social Security Board; Office of Facts and Figures; N. Y. Dept. of Health; various divisions of the U. S. Army Air Forces, U. S. Army Infantry, etc.; U. S. Naval Air Station; Photographic Science Laboratory; U. S. Army Service Forces; Signal Corps Photographic Center; U. S. Coast Guard; Third Naval District; Naval Officer Procurement; U. S. Navy Bureau of Aeronautics; U. S. Maritime Service; Civil Air Patrol; Division of War Training; U. S. Marine Corps; various radio stations, recordings for morale purposes overseas and in this country; use of guests—men in uniform; permission for defense plants to use recordings for employees; American Red Cross; USO; National War Fund; Greater New York Fund; Salvation Army; YMCA; Office of Civilian Defense; ENSA Committee; National Safety Council; Auroratone; Writers War Board; Russian War Relief; Cuban Consul General; British Broadcasting Corp.; British-American Ambulance Corps; Belgian Information Center; Royal Norwegian Information Service; Royal Norwegian Air Force; United China Relief; Consul of Poland; Australian News and Information Bureau; Catholic Charities; Bundles for Britain; Navy Relief Society; Army Emergency Relief; Freedom House; Boys Town; Father Flanagan; American War Dads; American Jewish Committee; Community Chests and Councils, Inc.; Hadassah; National Labor Committee for Palestine; Pocket Testament League.

The foregoing, Mr. President, does not take into consideration the many millions of dollars of service rendered by 735 of our local unions for the armed forces. We believe that this record of co-operation with the Government and Armed Forces has no greater parallel in the history of this war.

At the expense of repetition, but only for the purpose of emphasizing one of the important points to be considered, we declare that the refusal of the two companies to employ our members on the same terms and conditions now prevailing in the industry is not a violation of the American Federation of Labor's no strike pledge. The AFL has kept its no strike pledge and we have cooperated with it in that regard. However, in the matter of this particular controversy, the AFL convention in Toronto, Canada in October, 1942, after a full consideration of the matter not only declared that it did not involve the no strike pledge, but it endorsed the position of the AFM by an unanimous vote.

As the Director of Economic Stabilization has clearly pointed out, the making of the records to which the ban pertains has no connection with the war effort. They are purely for civilian use. We offered to make records free for the Army and Navy to be used in juke boxes, provided the members of the armed forces could hear them played without having to deposit a nickel to hear them. The Navy Dept. advised us that the Navy personnel were acquiring records in sufficient quantity to meet their recreational and entertainment needs. The War Department likewise has advised that the present arrangements between the Federation and the War Dept. were most satisfactory and it was desired that the arrangements remain unchanged.

Acknowledges Statements

Much is made of the fact that, as President of the AFM, I had made the statement that in the event the President of the United States asked me to lift the ban I would comply with such request. I did make that statement. It was made at the Dallas Convention in June, 1942. I repeated it on Jan. 12, 1943, before the sub-committee of the Interstate Commerce Committee of the United States Senate in response to a question put to me by Senator Clark.

At that time no records were being made by us for any record manufacturers and no such manufacturers saw fit to ask you to intervene, but sought instead through court procedure and through a Senate investigation to compel us to make records without regard for either our rights or our desires. Now, however, we are making records to the extent of nearly four million per month for 105 companies and have been doing so for many months under a form of agreement which neither Columbia nor RCA are willing to accept.

Mr. President, our membership has had and now has great confidence in you. We are all aware that, while others objected to your handling of their problems, our organization through me was willing to have you do so. We waited for the employers to join with us in this request to have you consider the matter. The employers, however, did not do so. On the contrary, after many tricky attempts to defeat the Federation by instigating a Senate investigation of, and an anti-trust suit against, the Federation, some of the companies filed a petition with the WLB.

The two companies now objecting did not petition at the time other companies first filed the petition. They waited several months. As a result of the filing of the first petition, the situation has completely changed which, of course, has affected the handling of this controversy by you under the offer I made to Senator Clark and his committee. For instance, the 105 contracts were entered into subsequent to the offer I made Senator Clark, and these contracts as explained above resulted from the panel's efforts to settle the controversy.

Offer Showed Confidence

It was because of the confidence the organization and I had in you, Mr. President, that I made the offer referred to. It was circulated widely and published in the press. The companies now seeking your aid knew of that offer. Although it was not a direct invitation to them to meet with you and me in order to have you determine the matter at that time, nevertheless it certainly must have occurred to them that in view of my offer they could have asked you to look into the situation and determine it if necessary.

Evidently they did not have confidence in you then, for they did not ask you to request me to comply with the offer I had made. On the contrary they set in motion the machinery of the WLB, believing that that might work to their greater advantage. Now, 26 months after the ban was imposed, realizing that the circumstances have greatly changed, virtually making it impossible to lift the ban as to those two companies without disrupting the relationships brought about by 105 existing contracts, they run to you, Mr. President, and ask you to aid them.

By virtue of the 105 contracts which conform to the settlement agreed upon by the AFM and certain companies, at the instance of the WLB, the AFM has been placed in a position whereby the offer made by me no longer has any further application. That is clearly the case because to give these two recalcitrant companies different terms than have been given to the 105 companies would cause great confusion and disruption of existing peaceful labor relations with the 105 companies.

To direct members of the AFM to work for these two companies would inevitably result in incalculable harm to our membership; the only good that would come out of the lifting of the ban would be to permit these two companies to resume the manufacture of records for civilian use with resulting tremendous profits to them, and that would be accomplished by taking the business away from those companies who have signed with the AFM and who are now supplying the public with all necessary recordings.

Terms Not Arbitrary

We have referred to the anti-trust case, which was instituted against the Federation by the Anti-Trust Division of the Department of Justice. This occurred Oct. 12, 1942; after a full hearing before Federal District Judge Barnes at Chicago, the court denied the Government an injunction and dismissed the suit upon its merits. The case was appealed to the Supreme Court of the United States. That court approved the holding of the District Court to the effect that we were not violating any law of the United States, and that we had a lawful right to take such action to preserve our livelihood.

Mr. President, as a matter of fairness there is only one solution to this problem the Federation can accept and that is for these two companies to sign the same contract as the 105 other companies have signed if they wish our members to work for them in making recordings and transcriptions. It must be remembered that these are not contracts containing arbitrary terms submitted by the AFM; the contracts as explained before, result from the efforts at mediation by the WLB itself. These contracts have not been disapproved of by the WLB; on the contrary the WLB panel stated that the terms and conditions are not contrary to sound social policy. Therefore, if these companies are anxious to make records for civilian use and desirous of procuring the services of musicians affiliated with the AFM, in justice and fairness they ought to do so by agreeing to the same terms and conditions as the 105 of their competitors have agreed to and under which our members are now working.

The Federation is aware that this case is a small matter compared with the many tremendous problems of national and international importance which are confronting you today, but it is one of the greatest fights in which organized labor has ever been involved, a fight for the maintenance and preservation of basic fundamental rights, a fight to preserve free labor as against conscription and involuntary servitude. Knowing your position on human rights, we are sure you would not want to impose unjust and harmful conditions upon thousands of musicians or anyone else for that matter.

Only 8 States Observe Thanksgiving on Nov. 30

ACCORDING to a survey of governors completed by the Assn. of National Advertisers, New York, only eight states, Arkansas, Florida, Idaho, Nebraska, Tennessee, Texas, Virginia and Georgia will celebrate Thanksgiving on the traditional last Thursday in November this year, with the latter also celebrating on Nov. 23. Early Thanksgiving date is in accordance with the Federal law which directs the President to fix the date as the fourth Thursday in November. In four States—Florida, Georgia, Idaho and Nebraska—the date of the holiday is fixed by law as the last Thursday in November. Victim of change in dates is Elgin National Watch Co. which purchased the full CBS network for a two-hour show on Thanksgiving Day Nov. 30.

WITH the subject for discussion, "Are the Candidates Facing the Issues?", the *University of Chicago Round Table* started its 12th year last Sunday over the NBC network, presenting its 555th broadcast. The program was first aired in 1931 by WMAQ Chicago and made its debut over NBC in 1933.

FM Features Allocation Hearing

(Continued from Supplement page 5)

serted, and emphatically affirmed multiplex operations as practical in the FM band.

When Mr. Denny inquired if facsimile could be placed in a channel adjoining FM in a given area, Dr. Jansky said he thought it could. For example in New York, he explained, FM could be on Channel 1 and facsimile on Channel 2 without interference, although he said he preferred not to give a definite answer. Dr. Jansky didn't see, however, how FM channels could be narrowed in the higher spectrum around 100 mc, as suggested by Mr. Denny.

W. A. Roberts, representing Television Broadcasters Assn., with whom Chairman Fly has clashed frequently because of his persistent cross-examination of witnesses, wanted to know why Dr. Jansky was so sure the present location of the FM band is best for the future. When the witness answered several factors were involved, including receivers, antennas and prices to the public, Chairman Fly challenged his authority to make such a statement.

After considerable argument between Chairman Fly, Mr. Roberts and the witness, Dr. Jansky started to say: "We've had much more experience . . ." but the chairman interrupted with: "We don't want a speech. Of course you've had experience. We want the facts."

Walter Damm Tells Of FM Growth

Several times as Dr. Jansky mentioned economics as a factor, Mr. Fly interrupted; asked the stenographer to read the question, then commented: "What is based on engineering? What are the engineering facts? If you think you're not qualified, don't testify."

Mr. Roberts asked what would tend to increase the receiver costs if FM were moved to 150 mc. Dr. Jansky said he'd refer the question to the manufacturers. Chairman Fly asked what the transmitter problem would be to shift FM to 88-108 mc but Dr. Jansky said he didn't know.

"Would propagation be as good or better than the band 41-56 mc?" asked Commissioner Jett. "It would be very good," was the reply.

Walter J. Damm, president of FM Broadcasters Inc., and vice-president and manager of radio of the Journal Co., Milwaukee, owner and operator of WTMJ and WMFM, said a study by FMBI disclosed that the 40 channels allocated by the FCC for FM were inadequate. He endorsed, on behalf of FMBI, the RTPB recommendations and filed several exhibits showing data about FM stations.

"Dismissal of proceedings pursuant to the newspaper orders and the decision of the Commission to receive and retain applications in its pending file have had a stimulating effect upon the planning of FM stations," said Mr. Damm, who estimated that within five years after the war at least 1,200 FM stations will have been sought.

He said approximately 500,000 FM receivers are now in the hands of the public and that General Electric Co. estimated the manufacture of five million sets within a year after the war ends. Commissioner Jett asked if the 500,000 sets now in use are FM or combination and Mr. Damm replied that for three years he and FMBI had been trying to get that information from manufacturers, without success.

To Mr. Denny's question as to whether FM stations would be built to service rural areas, Mr. Damm said: "Every applicant will be willing to serve as great an area as the Commission rules might permit. If you're asking me whether an applicant will set up a station in a sparsely populated region, I would say no."

Mr. Denny asked how long it would be before FM is self-supporting, and Mr. Damm said that WMFM "has turned the corner and is making money". His station serves an area in which 21,000 sets are in use, he said, and is independently programmed 100% except where a sponsor buys both the AM and FM station and wants the same program on both.

George P. Adair, FCC chief engineer, asked, in event it was determined that FM could better serve in another location in the spectrum, should the change take place now or later on?

"If you're going to have a change, it ought to be made now to save the public," replied Mr. Damm.

W. F. Cotter of Stromberg-Carlson, appearing both for his firm and the RTPB, said the various considerations affecting the choice of the maximum frequency deviation in FM which, in turn, dictate channel transmitting width, concern problems of (1) the transmitter, (2) the transmitting medium "such as multiple path transmission, bursts, service range" and (3) the receiver. He submitted some comments in writing on various phases of FM reception.

He testified that if FM goes to 100 mc it would increase the cost of the receiver 30-50% for the FM portion of a combination AM-FM set. That cost he estimated on this hypothetical basis: If a receiver costs $40 to manufacture, the cost of installing FM on the present frequencies would be about $4, whereas at 100 mc it would be about $6, making the manufacturing cost $46 rather than $44.

He said sets built exclusively for FM were not popular in the past and doubted if they would be feasible in the future inasmuch as many of the same component parts are used in the manufacture of both AM and FM receivers. Mr. Cotter suggested a combination AM-FM receiver as the most economical set.

Recommends 100 mc Band for FM Service

Mr. Cotter, recalled to the stand Wednesday for further cross-examination, said narrowing the FM channel to 100 kc width would increase signal noise. He added there would be a problem of co-channel interference which involves mathematical calculations. He recommended a channel width of 200 kc, regardless of multiplexing.

Mr. Cotter said should FM be moved to the 100 mc band, it would be possible to place stations in the area on adjacent channels provided the 200 kc channel is retained. As a receiver manufacturer he recommended that FM be contained in a continuous band, rather than two separate bands. If two bands are necessary, however, he said they shouldn't go above a frequency that causes a change in components and suggested FM be kept below 60 mc. As to receiver manufacture, he listed channel width as the most important problem.

Should FM be moved to a higher place in the spectrum, say around 200 mc, Mr. Cotter continued, it would take his firm at least a year to make new designs and get into production. He added, under cross-examination by Commissioner Jett, that he thought his company could build receivers with present component parts, capable of reception up to 100 mc.

W. R. David, sales manager of broadcast equipment, General Electric Co., Schenectady, vice-chairman of RTPB Pane 5 on FM and chairman of the panel's allocation committee, also representative of FMBI, estimated the cost of FM as follows:

For a main station of 1 kw from $28,000-$42,000, depending on local conditions. For a 50 kw FFM station, which is more likely to require one or more booster stations, $115,000-$150,000, exclusive of building and grounds. Addition of ST (studio-transmitter) facilities would increase the figures by $8,600-$11,500. He estimated the annual cost of operating and maintaining a booster station at $3,000-$4,000 for 25 w; $6,500-$8,000 for 250 w; $10,000-$12,000 for 1 kw.

Plant operation of main stations, excluding programs and studio, at $10,750-$15,000 for a 250 w station; $13,750-$18,000 for a 1 kw outlet and $67,500-$82,700 for a 50 kw station. Those figures include replacements, tubes, maintenance, operating personnel and a depreciation of 20%.

Costs of two different types of booster stations. The first, use of a low power transmitter operating on another frequency as follows: 25 w $6,000; 250 w $10,000; 1 kw $17,000. A second type, use of low-power transmitter operating on the same but synchronized carrier frequency, using a high-frequency radio relay between the main and booster stations, would cost approximately $13,000 for a 25 w station; $17,000 for one of 250 w and $25,000 for 1 kw.

Sees Danger of Retarding Development

Mr. David said he didn't think the demand for FM channels in the U. S. could be entirely determined by that of the metropolitan districts such as New York, Philadelphia, Chicago and Los Angeles, because cities within 50 to 100 miles of such areas must have additional channels. Excluding the larger centers of population Mr. Brown estimated that 60-70 channels would be needed for the rest of the country.

Mr. David said that moving FM to another part of the spectrum, say the 100 mc band, would retard the development of FM for at least a year. He added that further development would be necessary. With present knowledge, however, manufacturers could produce transmitters up to about 1 to 3 kw at approximately 150 mc, but the time required would be much longer than all ratings approximately 50 mc.

He estimated there would be an appreciable increase in the cost of covering the same area in the higher spectrum than at the present location, although he said he

CONGRATULATIONS are in order for Murray Carpenter (center), media supervisor of Compton Adv., New York, who surprised luncheon guests when he remarked that he was celebrating his 10th year with the agency on that day. Party included (l to r) A. H. Flaten of CBS Radio Sales in New York; Jean Lawler, time buyer for Compton; Mr. Carpenter; William Fairbanks, also timebuyer for Compton, and Carl J. Burkland, general manager of WTOP Washington Columbia outlet.

had no figures available. Operating costs would increase with the frequency, he said. Tubes would be higher and their life shorter. Efficiencies would be lower and their power costs more.

Commissioner Jett said he understood 50 kw tubes are available for the higher frequencies, but Mr. David said he had no knowledge of it. Just prior to the war, he explained, manufacturers were able to develop 50 kw at 50 mc, while now it is "barely possible" that they can develop 40 kw at 100 mc. He said GE had operated a 40 kw television station on Channel 3 (66-72 mc).

Behavior of Signals In High Frequencies

Mr. Roberts cross-examined Mr. David on his qualifications. The witness had termed himself "application engineer". The TBA counsel moved to strike from the record Mr. David's testimony regarding 40 kw operation at 100 mc. He was overruled by Commissioner Walker, acting chairman.

J. E. Brown, assistant vice-president and chief engineer of Zenith Radio Corp., Chicago, testifying as to observations he had made of long-distance disturbances, said he had observed bursts at 44.3, 44.5 and 44.7 mc, but that it "takes a skilled ear to find the bursts in the Chicago area". He said he had seen CBS television pictures the past summer at 60-66 mc in Chicago and added "whatever the vagaries may be they didn't stop at 60 mc".

He doesn't believe there's a serious interference problem in FM from sporadic E, he added. At one time Maj. Edwin H. Armstrong's station at Alpine, N. J., "took over" Mr. Brown's receiver in Chicago for 5 or 10 minutes, he said, but that was the only time he observed such a phenomenon. As to automobile ignition noise, "FM properly applied, does a good job of eliminating it," said Mr. Brown. He felt with a good receiver there would be no auto ignition problem.

Mr. Brown said the cost of building receivers for operations at 100 mc would be greater than at 50 mc. Before the war his firm built a combination AM-FM receiver for $125 for the present band. The same set at 100 mc might run $15-$20 more to the customer, he said, adding "there is no practical way out except for two complete front ends, one for standard and one for FM". At the present, one-front end serves both services, he said.

Under cross-examination, however, he estimated the cost of converting a set to 100 mc would be about $1 in manufacture. For the consumer increase "multiply that four or five times", he said. He estimated his firm would be able to manufacture sets for 100 mc reception a year after materials were available, and added that Zenith could build receivers for the present FM band at a minimum of six months after conversion of industry.

"If we knew what allocations were going to be, we could start designs right now," he told the Commission. As to prices, Mr. Brown said the lower priced sets create the biggest problem to manufacturers, although he estimated Zenith probably would turn out a combination AM-FM receiver costing around $40 or $50, because of consumer demand. He said he could see no reason why manufacturers couldn't build sets for an FM band of 80-108 mc.

ENTIRE STAFF of KALE Portland, Ore. attended banquet celebrating opening of new KALE studios. At head table (l to r) are: Arthur M. Briggs, account executive; Merle Alexander, secretary to Charles E. Couche, general manager; Mr. Couche; Margaret Allyn, director of women's programs; Newton G. Hedin, account executive. In first row, front table (l to r): Ralph Langley, production manager; Rodney Adair, announcer; Harold Bratsberg, program director; Byron Shrader, continuity director; Mary Lou Lacey, receptionist; William Donahue, auditor; G. F. Skiff, account executive. Second row (l to r): Allan Walker, announcer; Merrill Meade, assistant news editor; Jack Colon, announcer; Harland Tucker, chief announcer; Lyle Eastlund, technician; Fern Kilburn, traffic assistant; Norman A. Davis, commercial manager; Pat Green, program dept. secretary. Second table, first row (l to r): Shirley Richmond, commercial dept. secretary, A. E. Richmond, chief engineer; Luella Blankenship, bookkeeper; Tom Decker, news editor; Peg Brackensmith, writer. Last row (l to r): Betty Todd, writer; John Emmel, director of music; Ann Carpenter, writer; Florence Ball, traffic; Earl Gunn, announcer; Dantzelle Nelson, writer; Dave West, entertainer. Official opening of studios was final move in KALE's transfer to individual operation from joint ownership with KOIN. [BROADCASTING, Aug. 28.]

Narrates Experiences With Satellites

P. B. Laeser, FM and television engineering supervisor of WTMJ-WMFM, the *Milwaukee Journal* stations, testified as to experiences with satellite stations. He listed as the possible types of boosters or satellites as: (1) operation of a separate low-power transmitter carrying the same program on a channel different from that of the main station; (2) operation of a low-power transmitter carrying the same program on the same channels as the main station without sychronization; (3) operation of a separate low-power station on the same channels as the master station with both the carrier frequency and the program synchronized.

The first requires two channels, a disadvantage, he pointed out. With the second type, a nonsynchronous carrier operation, a mush area is created at points where the signals approach equal intensity and objectable interference is especially noticeable during program pause and at times of zero modulation, Mr. Laeser went on.

He defined the third as complete synchronous operation and said it "seems to offer several advantages over the other types". He described tests being conducted by WMFM with the second and third types of satellites. On the basis of two weeks' test, he felt the synchronized operation is better. "I see no reason why the technique of suppressing the satellite carrier from the receiving input could not be improved, and this would directly result in utilizing more power in the satellite if necessary," he said. Mr. Laeser publicly thanked Maj. Armstrong, C. M. Jansky Jr., and George P. Adair, FCC chief engineer, for their "helpful suggestions and cooperation" in the tests.

T. A. M. Craven, vice-president of the Cowles Broadcasting Co., who retired last June 30 as a Commissioner, startled many spectators with recommendations far beyond those suggested by the RTPB. (Abstract of his testimony and cross-examination will be found on Supplement page 16.)

Keston Urges FM Single Market Coverage

Paul W. Kesten, CBS executive vice-president and acting head, read into the record his statement on FM, which the Commission the previous week ruled could not be presented during international broadcast hearings [BROADCASTING, Oct. 9]. He recommended 100 channels for FM, estimating that they would make possible some 4,000-5,000 stations.

On his suggestion that FM be placed on an equality basis—Mr. Kesten was cross-examined by Commissioners and Mr. Roberts. As to location in the spectrum Mr. Kesten said: "We believe the movement of other services—I'm trying not to say television—into the higher frequencies where they belong will make room for FM centering at 60 mc or around 100 mc."

Chairman Fly asked, with a grin, if the witness thought the single-market coverage idea was a "good thing". Mr. Kesten replied: "It's a commendable thing, Mr. Chairman. It would add more stations to a network and that means benefits to everybody."

Mr. Kesten said on the basis of a study being conducted by his engineering department, it appeared that a network of 175 stations could be devised with rural coverage greater than the present standard network setups. An FM network, such as CBS proposes, could cover 80% of the population with 175 stations, he said. Copies of the study will be submitted to the FCC when it is completed.

Pressed by Mr. Roberts as to what he meant by "equality", Mr. Kesten said: "Competition today consists of two things—better programs and better signal. Under our recommendation there would be no better signal. It would rest on programs."

Alluding to CBS as perhaps having the best programs in the future, Mr. Roberts asked if that network planned to serve all the FM stations. "We might under a Communistic Government," replied Mr. Kesten, "but not a democratic America." He explained further that the equality theory contemplates "permission" to use facilities or standards below those of the "equal" stations but "never by force". He said the proposed plan would eliminate the danger of a few big stations being owned by a handful and make it possible for every station to compete on equal footing as to coverage.

Must Increase Number of Channels

William B. Lodge, CBS general engineering supervisor and member of RTPB Panel 5, said he voted for assignment of 80-100 channels for FM and for retaining the 200 kc channel width. With the FM band possibly limited to 15 mc, this would provide for 75 channels, of which educational interests want 15, leaving 60 for commercial FM.

"It is my firm conviction that this number of channels must be appreciably increased if we are to avoid frequency shortages in New York, Chicago and other large metropolitan areas," said Mr. Lodge. "Adoption of a 150 kc channel width for FM would provide 100 channels if the eventual FM broadcast band runs from 41-56 mc which, I believe, would be a long step toward meeting the needs of FM broadcasting within the foreseeable future." Mr. Lodge said 100 channels 200 kc wide could be provided if television is moved from the lower frequencies and the 50-60 mc amateur band is moved up to 6 mc.

Mr. Lodge pointed out that technical data submitted by RTPB contained opinions by representatives of Philco, NBC, RCA and Hazeltine favoring reduction in bandwidth to 100 kc, while General Electric, Stromberg-Carlson and Maj. Armstrong supported retention of the 200 kc width. His opinion, he said, was that the 200 kc width offers the best assurance of realizing the fullest potentialities of FM. A compromise on a 150 kc channel width might be acceptable, he added, only if it is finally determined that additional spectrum space cannot be made available to provide

approximately 100 FM channels of 200 kc width.

"Such a compromise does not, it seems to me, offer the most obvious solution," said Mr. Lodge. "Any reduction in band width, particularly in view of the opposition of FM's inventor, Maj. Armstrong, must be viewed with considerable reservation at least until we know much more than we do now concerning the practical operation of FM on a nationwide scale. The better course, if the Commission should move television into the higher frequencies, would be to reserve one or two of the present television channels for use by FM at such time as the high frequency, high definition television supplants the present 6 mc television."

Effect of Narrow Channel on Interference

Explaining that a single 60 mc television band would provide 30 additional FM channels, at 200 kc, Mr. Lodge asserted: "If the Commission formally adopts this policy at an early date, receiver manufacturers can then design sets to include all of the eventual FM band."

As to long-distance interference, Mr. Lodge said some of his thoughts were contained in his article in the Aug. 14 BROADCASTING. In support of the single-market FM station, as advocated by Mr. Kesten, Mr. Lodge said that under this plan transmitter power would be lower than that of multi-market outlets, and interfering signals would be weaker.

Under cross-examination Thursday morning, Mr. Lodge said a narrower channel would not impose restrictions on audio-frequency fidelity. He said, however, that reducing the channel to 100 kc would result in a reduction of ability to discriminate against co-channel and adjacent channel interference. Questioned by Mr. Adair about the 150 kc channel, Mr. Lodge said he believed alternate channels could be used and that, in itself, would make room for more channels.

Chairman Fly and Gov. Case cross-examined on the economic factors of single-market stations in New England and when Mr. Fly asked if CBS would be willing to "carry a standard station at a cost that would enable it to operate in the black," Mr. Lodge replied: "I believe we would if it provided service. That's my opinion."

Protection Against Background Noise

He told Commissioner Walker the CBS plan did not contemplate relying on network support as the primary economic factor, rather the single-market idea would foster more local support. Network support, he said, was only one of the factors. Chairman Fly asked Mr. Lodge to develop the economic points "more fully" and present them to the Commission.

Worthington L. Lent, Washington consulting engineer and counsel for the Cowles Broadcasting Co., submitting data on human response to sound, said if the full fidelity capability of a system is to be useful, some protection against disturbing backgrounds of noise must be provided. He named two types of noise with which the antenna system must contend: (1) the electrical noise to which the receiver is sensitive, and (2) the acoustic noise in the listening space to which the ear is directly responsive.

He produced technical data indicating that a band width of only 90 kc is necessary for an FM channel, declaring: "It can be concluded that in a channel 100 kc wide, an allowance for receiver oscillator frequency drift of plus or minus 5 kc and an additional allowance of plus or minus 2.5 kc for the accommodation of all generated side band components having amplitudes of 1% or greater of the unmodulated carrier amplitude, can be provided while at the same time permitting a useful total swing of 85 kc."

Mr. Lent said he didn't think adjacent channel interference would be serious under a 100 kc band. He gave testimony concerning conversion of receiving sets and said that the receiver manufacturers can "make or break FM" or any other service.

Maj. Armstrong was given a rousing ovation as he stood on the platform to take the oath. He was the first witness to be given such acclaim. In carefully selected words he asked the Commission to provide ample space for FM and asserted that in addition to commercial services, "an outstanding opportunity for peacetime service is just beginning to emerge in the field of educational broadcasting and the extent to which its effects may be felt cannot now be forecast." (Abstract of his testimony and cross-examination on supplement page 14.)

Educational Group Seeks Video Also

Joseph L. Weiner, attorney, who said he represented a "group of persons connected with Muzak Corp.", presented a plan for "subscription radio", a service similar to Muzak but handled by FM instead of wires. (Abstract of his statement and cross-examination on supplement page 3.)

For the first time in the hearings an FCC representative was obliged to read his prepared statement as the noncommercial educational hearings got underway Friday. Acting Chairman Walker ruled that the Commission was interested in the statement, which sketched the history of educational broadcasts. In the past Commission experts have identified the statements and entered them in the record.

Dr. Studebaker, in requesting 15 channels for noncommercial educational FM and 10 additional channels for relays, said he wasn't acting on a personal hunch but based his recommendations on known plans of educational institutions in 28 states. He said the present five channels, allocated to educational FM, are far from sufficient to meet the needs. Throughout his testimony he quoted various statements of Chairman Fly with reference to educational broadcasting.

Dr. Studebaker pointed out that education by radio isn't confined to the schoolroom. "I know it to be a fact that some of those now planning FM stations expect to broadcast adult-education programs and programs of a general informational nature," he said. "I have reason to believe that school-owned FM stations will come, more and more, to broadcast programs for student listeners during out-of-school hours, designed to supplement the regularly-scheduled work of the schoolday. . . . From current trends of thinking among the curriculum specialists, I think we can expect that these school-owned stations are likely to be used, to some extent at least, to bring to young adults just out of school, types of educational programs designed to expedite their transitional adjustments to adult social, occupation, and civic responsibilities of community living."

Under cross-examination, Dr. Studebaker estimated that within five years there will be at least 500 educational FM stations.

Horace Lohnes, Washington counsel for the Natl. Assn. of Educational Broadcasters, asked if an educational station desiring to sell time should be assigned an educational or commercial frequency. Dr. Studebaker replied: "I don't like to feel that tax-exempt institutions should go into commercial business in competition with private enterprise."

Dr. Lowdermilk, who supported Dr. Studebaker's recommendations by more complete data as to technical and other details, advocated permitting "all local school systems and colleges to do their own planning without the imposition of regulations by a state committee, a state department of education or the U. S. Office of Education".

Testifying out of turn last Wednesday, because he had to leave Washington, Dr. Howard L. Bevis, president of Ohio State U., Columbus, and chairman of the Radio Broadcasting Committee, Natl. Assn. of State Universities, told the Commission that "State universities, in much larger proportion, are planning to establish FM educational stations", recognizing the "practical impossibility of obtaining new standard broadcast stations."

Of 45 state institutions, 35 are now "either actively considering the matter or have already applied to the Commission for a construction permit". Only 12 universities operate standard stations, he said. The majority of the proposed FM stations by land-grant colleges will be "related to state educational FM networks," said Dr. Bevis. He, too, said programs will be directed at homes as well as schools.

Dr. Bevis recommended, in addition to FM channels, that the Commission allocate a group of medium-distance channels in the vicinity of 2500-3500 kc for "statewide coverage on 10 kc channels with power to 5,000 w." He asked for at least 10 such channels for educational needs.

Adult Education Facilities Urged

Prof. Harlow Shapley, director of the Harvard Observatory, also testifying out of turn, advocated worldwide educational broadcasts and supported the contentions of the World Wide Broadcasting Foundation, of which he is a member. He offered no recommendations, however.

Harold McCarty, director of WHA Madison, Wis., and national radio chairman of the Natl. Congress of Parents & Teachers, declared the NCPT is convinced that national network broadcasting cannot solve all the problems or perform all the services of radio education. He endorsed the 15 channel request for educational FM.

Robert C. Deming, supervisor of adult education, Connecticut State Dept. of Education, testified that Connecticut plans to erect four 1,000 w transmitters to form a network with relay transmitters, under direction of the State Dept. of Education.

Lt. Col. Harold W. Kent, Chief, Postwar Planning Branch, Office of the Director of Military Training, Army Services Forces, and

Peterson Heads Army Radio Branch Placement

SUPERVISION of all Army-produced network programs except the *Army Hour* on NBC, will be in charge of Lt. Curt Peterson, officer in charge of the Placement Section, Radio Branch, War Dept. Bureau of Public Relations, Lt. Col. Jack W. Harris, acting chief, Radio Branch, announced last week. Lt. Peterson, former radio director of Marschalk & Pratt Co., will supervise 10 Army-produced shows on the networks for Army Air Forces, Army Service Forces and Army Ground Forces. Col. Harris personally supervises the *Army Hour*.

Lt. Peterson

In his new duties he will coordinate appearances of personnel for the various services with Maj. Herbert Stare, radio officer of AGF; Maj. Andre Baruch, radio officer in charge of ASF Placement Section, and Capt. A. T. Steele, radio officer of AAF, handling the placement of Army personnel for both sustaining and commercial programs.

Maj. Baruch, veteran network announcer, as head of the new ASF Placement Section [BROADCASTING, Oct. 9], will be liaison between Army Service Forces personnel and radio, although the Radio Branch will continue to clear all programs and personnel as the overall operating branch of all Army radio, maintaining liaison with the AAF, AGF, ASF, and posts and camps throughout the country.

War Dept. liaison to the U. S. Office of Education, testifying on behalf of the Assn. for Education by Radio, of which he was one of the founders and its first president, said he felt 15 channels for FM educational broadcasting would suffice for present needs, although he added: "We don't believe that is by any means a final request."

Col. Kent, on leave as Radio Director in the Chicago Public Schools, told how in Chicago, Detroit, and other cities when schools were closed by epidemic or other reasons, pupils were reached through cooperation of local stations. He asserted that the field of adult education "heretofore largely undeveloped, should be served by educational radio facilities".

Endorsing the recommendations of Dr. Studebaker and Dr. Lowdermilk for 15 FM channels, 200 kc wide, for noncommercial educational use were the following:

D. W. Zimmerman, Maryland State Supervisor of Special Education, also representing the National Council of Chief State School Officers; W. Lloyd Sprouse, executive assistant to Dr. Kenneth C. Ray, Ohio State Superintendent of Public Instruction, who also said Ohio institutions would need 15 channels but could use the 15 requested for nationwide service; Dr. Lawrence J. Tidrick, Michigan Dept. of Public Instruction; Carl H. Menzer, Natl. Assn. of Educational Broadcasters; Dr. William B. Levinson, Directing Supervisor of Radio, Cleveland Board of Education.

S. D. Shankland, executive secretary, American Assn. of School Administrators; Walter C. Eells, executive secretary, American Assn. of Junior Colleges; Belmont Farley, public relations director, National Education Assn.; Clyde M. Huber, American Assn. of Teachers Colleges; Paul E. Elicker, executive secretary, National Assn. of Secondary School Principals; William D. Boutwell, managing editor, American Vocational Assn.; Elizabeth Gowdy Noel, Dept. of Classroom Teachers, National Education Assn.; Dr. Joseph E. Maddy, representing the NEA, Music Educators National Conference, National School Band, Orchestra & Vocal Assn. and Michigan Educators' Radio Assn.; George Abraham, Intercollegiate Broadcasting System.

Dr. Maddy read a statement from Leopold Stokowski, urging retention of FM broadcasting on the highest plane, asserting that the broadcast of symphonic and operatic music requires a frequency range of from 30-13,000 cycles per second and an intensity of about 85 decibels.

Declaring the "average American citizen is woefully ignorant concerning the workings of our democratic form of Government," Dr. Maddy charged "this condition is largely due to our radio monopoly. Such information cannot be disseminated over national networks or over regional radio stations.

"Soap operas occupy radio time that might better be used to acquaint our citizens with economic problems facing them," continued the Michigan educator. "Breakfast food thrillers that inspire young children to simulate bloody escapades might well be replaced with rational programs devoted to better health. Radical promoters of doubtful ideologies can buy time for propaganda purposes while vital local issues are seldom presented over the air."

Dr. Maddy attacked James Caesar Petrillo, president of the American Federation of Musicians, as a "dictator" and said that unless Congress takes drastic action to stop his "assumption of dictatorial powers . . . our FM efforts will come to naught, I'm afraid."

Television was to get under way at 10:30 a.m. Saturday (Oct. 14) with the following witnesses: T. A. M. Craven, vice-president, and Worthington C. Lent, consulting engineer, Cowles Broadcasting Co.; Joseph Ream and Peter C. Goldmark, CBS; Allen S. DuMont, Television Broadcasters Assn.; T. T. Goldsmith Jr., Allen B. DuMont Labs.; Lewis Allen Weiss and Frank M. Kennedy, Don Lee; Paul Raibourn, Balaban & Katz, Television Productions, and Paramount Communications; G. R. Town, Stromberg-Carlson Co.; Norman D. Waters, American Television Society.

Addenda to ACTIONS OF THE FCC

See Oct. 7-10 Decisions and Applications on page 56.

Decisions . . .

OCTOBER 10

Blue Network Co., New York—On consideration of petition to enlarge issues and postpone hearing, and KOB petition to enlarge issues, re KOB application for mod. CP, directed that issues to be determined be enlarged to include use of DA by both KOB and WJZ; refused to continue hearing now set Dec. 11 (action taken Oct. 9).

WJNO West Palm Beach, Fla.—Granted CP move transmitter.

OCTOBER 11

Rochester Broadcasting Co., Rochester, N. Y.—Granted petition for postponement to Nov. 15 hearing now set Oct. 17 in re application and Seneca Broadcasting Corp. application new station at Rochester, and The Finger Lakes Broadcasting System application new station at Geneva, N. Y.

Applications . . .

OCTOBER 10

WSAY Rochester, N. Y.—Mod. CP authorizing change assignment etc. for extension completion date from 11-1-44 to 1-1-45.

Philco Radio & Television Corp., Arlington P.O., Va.—CP new experimental television station, channel 4, A5 and special emission, 3 kw visual and aural.

KMAC San Antonio, Tex.—CP new FM station, 45,300 kc, 10,506 sq. mi., $42,545.65 estimated cost.

South Bend Broadcasting Corp., South Bend, Ind.—License to cover CP new standard station (WHOT).

KMED Medford, Ore.—CP new FM station, 49,500 kc, 3,121 sq. mi., $15,300 estimated cost.

OCTOBER 12

WJAR Providence, R. I.—CP new commercial television station, channel 7.

National Broadcasting Co., Bound Brook, N. J.—Mod. CP authorizing new international broadcast station WNRE for extension completion date from 11-7-44 to 2-7-45.

KTYW Yakima, Wash.—Mod. CP authorizing move station etc. for extension completion date from 10-11-44 to 11-11-44.

Temple V. Ehmsen, Portland, Ore.—CP new developmental broadcast station, 45,500 kc, 1 kw, special emission for FM and facsimile.

KSFO San Francisco—CP change 560 kc to 740 kc, increase 1 kw N 5 kw D to 50 kw DN, move transmitter, install new equipment and DA-DN (petition to reinstate).

OCTOBER 13

Portland Broadcasting System, Bangor, Me.—CP new FM station, 45,100 kc, 6,512 sq. mi., $30,678.23 estimated cost.

WHBL Sheboygan, Wis.—CP new FM station, 48,500 kc, 2,360 sq. mi., $36,500 estimated cost.

Zenith Radio Corp., Chicago—CP new experimental televisoni station, 4880000-504000 kc, 250 w (1 kw peak) visual and 1 kw aural.

KTYW Yakima, Wash.—License to cover CP move station and antenna changes.

Decision on WJJD Case Favors AFM

Regional Board Reverses Findings of Panel

ACTION of the Sixth Regional War Labor Board in reversing the panel findings denying "make-work" demands of the American Federation of Musicians for platter-turning operations at WJJD Chicago brought sharp criticism last week from William Friedman, station counsel, who announced he would file a petition for review immediately.

"I'm surprised by the decision of the Sixth War Labor Board in the WJJD case", said Mr. Friedman. "It clearly ignores the record which shows there is no prospect of reaching an agreement by collective bargaining. The present decision seems to be an attempt to avoid deciding an issue which is clear.

"I cannot understand the attitude of the Board since Petrillo and the union have done nothing but flaunt the Board and even the President of the United States. We shall of course avail ourselves of the right to have the national Board pass upon the matter."

The Board order returned the dispute to the parties for collective bargaining, stipulating that if the issues are not resolved in 60 days either party may refer the case back to the Board for final determination on the basis of the panel report of Aug. 15. The panel had found that the present staff of musicians at the station was without sufficient work to take up the minimum of 25 hours per week specified in the union contract and had seen no justification in view of the manpower shortage in the Chicago area for giving the musicians exclusive jurisdiction over turntable operation [BROADCASTING, Sept. 4].

HOOPER RATINGS UP ON PACIFIC COAST

HOOPER RATINGS for August-September period, as reported by C. E. Hooper Inc., New York, for Pacific Network programs, show a prevailing rise in listening over the last report on three counts, but a general decrease from last year's report. Average evening audience rating of 7.1 is up 0.7 from last report, down 0.4 from a year ago. Average evening sets-in-use of 29.6 is up 3.7 from last report, up 1.4 from a year ago. Average evening available audience is 74.1, up 1.8 from last report, down 0.6 from last year.

For daytime audiences the average rating is 3.8, up 0.2 from last report, down 0.2 from year ago; for sets-in-use figure is 13.8, up 0.7 from last report, no change from year ago; for the available audience figure is 64.4, down 0.9 from last report, down 1.6 from year ago.

Mr. District Attorney heads the list of "Top Ten" programs on the Pacific Coast, followed respectively by *Your Hit Parade, Ellery Queen, Can You Top This, Screen Guild Players, Thanks to the Yanks*, Hildegarde, *Quiz Kids, Take It or Leave It, Mr. and Mrs. North.*

JOINT STATEMENT OF RECORDERS

TEXT of joint RCA Victor, Columbia and NBC recording statement issued late Friday follows (story on Supplement page 5):

WE ARE encouraged that President Roosevelt in his efforts to withdraw the ban of the AFM on the making of phonograph records and transcriptions has not taken Mr. Petrillo's "no" as a final answer in the case. The President's decision to study the law in order to find what he can do legally on the question is encouraging to us, who in this long drawn-out fight against an alarming and perhaps subversive principle have sought to uphold American tradition.

We deeply regret that Mr. Petrillo's refusal to obey the order of the War Labor Board has imposed upon the President the additional burden of a wartime strike by the AFM against our companies.

We have offered again and again, hoping to keep this issue from reaching the overburdened desk of the President, to pay into escrow the full dollar amounts which Mr. Petrillo demands, pending proper determination of the issues between us. These offers Mr. Petrillo has repeatedly refused. We have been fighting, not for competitive advantage, but against what we believe to be a dangerous principle. He would force us to pay a private tax on every record sold, directly into his union treasury. Obviously, such a tax would have to be added to the price of records purchased by the public. It would make the union officials financially independent of the union membership.

Mr. Petrillo made a basic misrepresentation in his recent statement to the President that the capitulation of other companies to his demands resulted from efforts of the WLB itself. The true fact is that the WLB panel expressly and officially disclaimed responsibility for the contracts which the other companies signed. With one single exception, these companies are small companies which yielded to economic coercion.

Furthermore, Mr. Petrillo overlooks the fact that the WLB concluded that the strike did impede the war effort. This conclusion was reached and publicly stated at least four separate times during the lengthy procedure before the WLB and its panel as follows:

First, in July 1943, the WLB concluded that it had "substantial evidence" that the strike impeded the war effort when it first accepted jurisdiction in the case.

Second, in March 1944, the same conclusion was reached by the panel which stated "the stark fact is that a union by successfully halting the production of goods, has impeded the war effort."

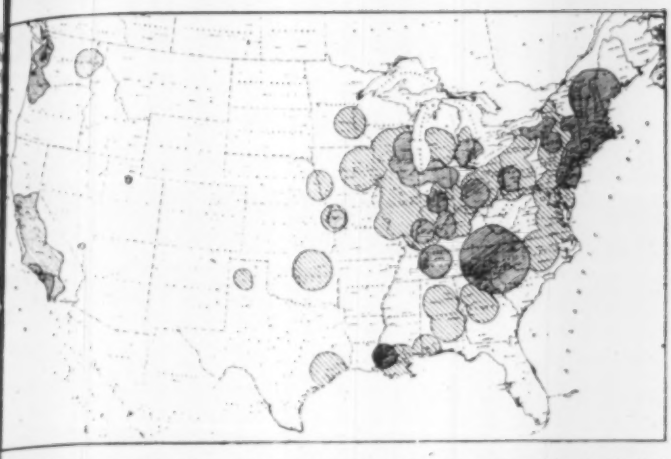
Third, in April 1944, in the hearing on the confirmation of the panel's report Chairman Davis referred specifically to this labor dispute as one "which interferes with the war effort".

Fourth, in August 1944, after Mr. Petrillo has for months defied the WLB's back-to-work order, Frank V. Morley, the public member of the board designated as "special" on the case, again denied the union's claim that the strike had no effect on the war effort, with the statement "That is a claim which we find cannot be substantiated."

We are strong in our hope that the President under the law will find legal power to put an end to Mr. Petrillo's defiance of the Administration, and permit musicians to resume recording.

NBC Midwest Gain

DIVISION billings for the first nine months of 1944 are 18.8% ahead of the same period a year ago, according to Paul McClure, sales manager for the NBC Central Division. Simultaneously, Oliver Morton, manager of the NBC Central Division local and spot sales department, disclosed that WMAQ billings in 1944 topped the same nine-month period in 1943 by 15.3%.



HOW FM will serve the nation, under stations already authorized and those for which applications are pending, is shown in this FCC Engineering Dept. exhibit introduced last week in the FCC's general allocations hearings. Areas served by the 46 licensed commercial FM stations and 7 authorized by construction permit are shaded diagonally to the right. Areas which would be served with the addition of 248 stations sought in pending applications are shaded diagonally to the left.

Primary Coverage by Radio Inadequate, FCC Discloses

DESPITE 912 standard broadcast stations licensed as of Sept. 1 and construction permits outstanding for 16 more, 17.4% of the population is without nighttime primary radio coverage and 8.1% without primary service in the daytime, C. H. Owen, chief of the Hearing Section, Broadcast Division, FCC Engineering Dept., testified last week as the Commission opened hearings into standard broadcast allocations.

Little Improvement

Pointing out that one purpose of the Commission's order, designating the allocations hearings, was to determine the "present and future needs" of standard broadcast service "with a view to ultimately assigning a band or bands of frequencies to such service," Mr. Owen said that any determination as to the present and future needs "should be examined in the light of the purposes of the Communications Act as stated in Section 1, namely, 'to make available as far as possible to all of the people of the United States a . . . nationwide . . . radio communication service with adequate facilities'."

He entered as exhibits coverage maps depicting a detailed study by the Commission in 1938 and said that today's coverage has increased but little since then. Of 122,000,000 population when the study was made, more than 10,000,000 were without daytime primary service while 21,000,000 had no nighttime primary coverage.

"In June of 1942 the question of primary service day and night in the United States was again the subject of a study by the staff," said Mr. Owen, "and it was found that the service rendered by the 906 stations in 1942—an increase of 159 stations over the 747 of 1938—resulted in an increase in total area receiving service from 61.5% to 66.8% for daytime and 43.1% to 43.2% for nighttime."

The Commission concluded, on the basis of the 1942 small increase, the 1938 study was "relatively accurate" and substantially representative of the service "in the United States at the present time".

"Standard broadcasting today is one of the United States major industries and the economic aspects should be considered concurrently with engineering phases," said Mr. Owen. He introduced an analysis by states and regions showing population, radio homes, per capita income, retail sales, total broadcast revenue from time sales, total investment in tangible broadcast property and number of stations (see page 14).

In breakdowns of each state's coverage, exhibits submitted by Mr. Owen showed that 15.9% of the country's rural population is without daytime primary service, while the urban population without primary service during the day is but 2.1%.

During nighttime 32.4% of the rural population is without primary service while 5.6% of urban population has no primary coverage.

Research Firm on NBC

ELECTRICAL RESEARCH Labs., Evanston, Ill., on Oct. 21 will begin sponsorship of John W. Vandercook, NBC commentator, in a new quarter-hour series Saturday on the full NBC network. Evans Associates Inc., Chicago, placed the 26-week contract.

LATE PERSONAL NOTES

DON HEYWORTH, production and program operations assistant in the BBC's North American Service, leaves New York shortly to transfer to the BBC's London office to develop and produce programs for this country as the only American member of the NAS staff there. With BBC New York for the past year, he was formerly with WCAU Philadelphia. Sam J. Salte, for the past year and a half regional public relations officer of the U. S. Maritime Service, Third Naval District, joins the program operations department in New York Oct. 23. From 1940-43 he planned, produced and wrote programs for the National Assn. of Manufacturers.

DR. DARRELL B. LUCAS, originator of the controlled recognition method measuring advertising audiences, has been appointed technical director of the Advertising Research Foundation, to which he has served as consultant for the past year. Professor of marketing at NYU, Dr. Lucas is co-author of *Psychology for Advertisers*, and author of *Psychology of Selling*

CECIL WIDDIFIELD, radio director for Schwimmer & Scott, Chicago, has been appointed head of the new business department of the agency.

BILL ANSON, m.c. and freelance announcer, who is performing on 52 shows a week in Chicago, missed his first broadcast in eight years Oct. 11 when he became the father of a baby girl, named Ruth Leslie.

ROBERT K. RICHARDS, editorial director of BROADCASTING, is the father of a 7 pound 11 ounce baby boy, born Oct. 11 at Columbia Hospital, Washington. It is the Richards' second child.

ALAN M. FISHBURN, radio producer for Schwimmer & Scott, Chicago, has been appointed head of all radio production for the agency.

LT. DICK ROSS of AAF and former announcer of KHJ Hollywood, reported missing in action over Germany since August 1943, has been officially listed as a German prisoner of war, according to word received by his wife.

F. BEVERLY KELLEY, former head of the radio department of Ringling Bros. & Barnum & Bailey Circus, has been placed in charge of both press and radio publicity departments, which have been merged, and has succeeded Roland Butler as advertising manager of the circus.

HARRY J. DEINES, formerly with Arthur Kudner Inc., New York, has joined Fuller & Smith & Ross, same city, as account executive on Westinghouse radio sets. Prior to joining Arthur Kudner, Mr. Deines was advertising manager of the electronics department of General Electric.

ROBERT T. MASON, manager of WMRN Marion, O., has been elected president of the Marion, O. Kiwanis Club.

EDWIN L. DUNHAM, a production director at NBC, has been reappointed expert consultant to the office of the Secretary of War, assigned to the War Dept. Bureau of Public Relations. Appointed to the post a year ago for his work on the *Army Hour* on NBC, Mr. Dunham will continue as coordinator of that program for another year, retaining his regular NBC assignments.

JANET FLANNER, *New Yorker* correspondent and m.c. of the Blue Network's *Listen, the Women*, who is returning to Paris, will serve as commentator for the Blue in a weekly program dealing with news, food and fashions in the French capital.

W. E. HENGES, with Graybar Electric Co., New York, for the past 31 years, has been named Cleveland district manager of the company, effective Nov. 15, replacing A. L. Perry, retired. On Nov. 1 G. T. Marchmond will become Dallas district manager for Graybar, replacing M. A. Buehler, retired. R. W. Kimberlin has been named St. Louis district manager for Graybar effective Nov. 15.

GERALD F. MORROW, former executive in the eastern headquarters of the Atlantic & Pacific Tea Co., has joined Ivey & Ellington, Philadelphia, as vice-president.

DAVID J. FINN, sales manager for RCA Industrial and Sound department, has been appointed to supervise sales and distribution in the Midwest for RCA with headquarters at Chicago.

THOMAS M. CRABBE, formerly assistant advertising manager, Colgate-Palmolive-Peet Co., Jersey City, has joined MacFarland, Aveyard & Co., New York, as copy writer, and as executive on the *Saturday Evening Post* account.

NILES TRAMMEL, NBC president, is sending every NBC man and woman in the armed forces a check and a personal letter as a Christmas gift from the network. A custom since the first year of the war, the letter and check will be mailed this year to 603 former employes.

ARTHUR S. R. TOBY, on the engineering staff of North American division of BBC for the past year, has been named chief engineer, replacing Ted Lawrence, resigned.

Mistol Drive

STANCO Inc., New York, for Mistol Nose Drops, Oct. 9 started a 12-week campaign on 25 stations in seven basic markets with expectations for renewing for another cycle Dec. 31. One-minute discs, starting off with the words: "I got a cold in my nose" are heard on an average of five-times weekly on WBAL WITH WMAL WOL WRC WTOP WKRC WSAI WHIO WING KRNT KSO WHO WHB KCMO KFH WFBI WHEC WAGE WOLF WAGA WGST WSB WDAF. Drive is divided equally between newspapers and radio in the same areas. Agency is McCann-Erickson Inc., New York.

'Reader's Scope' Test

PICTURES Scoop Inc., New York, is conducting a test campaign in Los Angeles and New York as a prelude to major radio promotion in December for *Reader's Scope* magazine. Schedules will all be under way by Oct. 16, and call for 30-second discs for five days on WJZ WMCA WQXR KFWB WHJ KFR KNX. Agency is H. C. Morris Co., New York.

MGM Expands

METRO-GOLDWYN-MAYER Pictures Corp., New York, in a gradual expansion of a spot campaign started last spring on 61 stations, has increased its schedule to a total of 100 stations, with plans for further additions. Firm continues supplementary local spot radio promotion through announcements in connection with local premiers. Agency is Donahue & Coe, New York.

MUZAK PROJECTS FM CIRCUITS

(Continued from Supplement page 3)

for commercial use, the maximum number of stations that could be accommodated in the New York metropolitan area would be about 25, equivalent to the standard station population. Of these, three would be necessary for the *Muzak* service, assigned to one company. By his questioning, he brought out this would be inconsistent with the FCC's duopoly rule as now applied to standard broadcasting.

Mr. Weiner said there would be a charge of about 5 cents per day for the three-channel service—(1) classical or mood music, (2) popular music and (3) cultural, educational and talk. Presumably paralleling the *PM* philosophy of no display advertising, the third channel also would carry a 'radio shopping news service" covering choice items for sale in the community.

Mr. Weiner characterized the proposed service as "an entirely new system" which he described as of great urgency and greatly in the public interest. Whereas radio functions on a single system of financing all costs through advertising sponsorship, he said the proposed service is not designed to limit or supplant the present system. Mr. Weiner described the "pig squeal" as a simple, small patented device installed in the home receiver which filters out the "shrill sound". By charging a fee for the privilege of using this device, it is possible to have a radio service paid for by the listener "instead of being paid for indirectly by purchasing advertised products."

Community Weather

The company does not seek exclusive use of the system, Mr. Weiner declared. It asks that the allocation be made for the service, rather than to *Muzak*. 'While we hope to obtain permission to conduct such an operation ourselves in a limited number of localities, we are convinced that the service ought, so far as possible, be tied closely to the community in which it operates."

He said the "pig squeal" device would be made available at a practically nominal rental to others who use the service. He was not specific on the matter of allocation, but presumably the plan would be to duplicate stations on the three channels across the country, with *Muzak* operating the subscriber service in key cities. That pattern is being followed in connection with the commercial use of *Muzak*, wired, into public places.

Advocating a radio system "free of advertising support", Mr. Weiner said that at least three new and different types of programming would be made possible. They combine into what he called "a family package". The first type, serious music programming, is now being supplied by *Muzak* through telephone lines to hotels, resturants and industrial plants, and in some cases to individual families in apartment houses.

Pointing to the vast increase in talk, comedy, quiz shows, forums and other such programs on the air, he said the proposed subscription system would reverse that trend and bring music back on the air to supplement these talk programs. The second channel, devoted to popular music, likewise would not be interrupted by "talk".

Under existing broadcasting, Mr. Weiner contended that advertisers want their listeners to focus attention completely on their individual program. But he said there were many millions of listeners who are not in the mood for "the hard impact of such programs". He contended even the most popular programs have more people "not listening to them while they are being broadcast, than are listening."

The third channel would provide a wide range of features, he said, which cannot fit within the framework of an advertising medium. These would range from the "radio shopping news service" to critical reviews of current offerings of theatres, reminders to listeners of choice programs, description of such services available in the community, "which cannot afford to advertise themselves."

He said there would be plenty of room for cultural and educational features, and since "there will be no pressure to preempt the time-periods of these features, they could be assured of the same regularity of broadcasting, at the same hour of the day and the same day of the week, week after week. . . ."

Mr. Weiner cited a survey made of 110 families in a large apartment house development in Forest Hills, N. Y., "to prove public acceptance of such a service." Most of these families had had a *Muzak* service in their apartments, supplied without cost by the landlord, but this service subsequently was cancelled. It was found, he reported, that 57% said they would pay "as much as 5 cents a day" to get music on their radio "without any talking or advertisements". Another 18% were undecided, while 25% were not interested.

Arguing that such a development would be beneficial to all radio, Mr. Weiner held that it also might well be "an additional lever in the hands of the public, helping listeners to oppose some of the more objectionable radio practices."

Would Aid All Radio

Estimated budgets on the cost of operation for the new system in three major markets (presumably New York, Chicago and Los Angeles) were placed at one million dollars in each market for the first year and approximately 10 million dollars for the first five years of operation in those communities.

Mr. Weiner said his group was "entirely satisfied that the operation has an exceptionally sound economic base and every expectation of success."

Armstrong Defends Wide Band; Gets Ovation at FCC Hearings

RETENTION of the present 200 kc channel, allocation of the 41-56 mc band for commercial and educational FM and setting aside a portion of the higher spectrum for FM experiments were recommended to the FCC last Thursday by Maj. Edwin H. Armstrong, Columbia U. professor of electrical engineering and inventor of FM.

He vigorously opposed reducing the channel width to 100 kc, as advocated by Comdr. T. A. M. Craven, vice-president of the Cowles Broadcasting Co. and former Federal Communications Commissioner (see Supplement page 16), and endorsed the Radio Technical Planning Board's recommendations for 75 channels of 200 kc width in the spectrum from 41-56 mc and concurred in a Panel 5 subcommittee finding that wartime developments would not affect the status of FM broadcasting as now practiced.

He advocated automatic satellites in the higher spectrum as a means of overcoming vargaries of transmission in the present band. After explaining the technical details of operating on 200 kc, Maj. Armstrong said reduction of the band width to 100 kc would double the signal noise ratio and would make the use of any multiplexing service a "practical impossibility".

Given Ovation

As Maj. Armstrong ascended the platform to be sworn, he was given a rousing ovation by the 200 or more spectators, nearly all broadcasters, engineers and attorneys. It was the first time during the allocation hearings which opened Sept. 28, that a witness was given such recognition.

In deliberate manner, Maj. Armstrong read a carefully prepared statement, deviating from text at intervals for explanations of the art which he invented and which eight years ago he predicted would not merely supplement, but supersede standard broadcasting as it exists today.

Reaffirming his views of eight years ago, Maj. Armstrong said had not the war interrupted, FM today would have been well along. "An outstanding opportunity for peacetime service is just beginning to emerge in the field for educational broadcasting and the extent to which its effects may be felt cannot now be forecast," he asserted.

As to noise interference, Maj. Armstrong said he had developed a new phase shift type modulator of 75 db down "which is destined to become the modulator of the future".

"In the development of any new project of this magnitude," he said "all sorts of problems, real and fancied, are encountered. Ordinarily the cures are worked out by the men who are building the industry frequently in advance of the problem ever being realized by many engaged in it.

MAJ. ARMSTRONG

"At the present time we are in an unprecedented situation. For three years no attention has been given to these problems by the men who built up the system. They have had more important work to do. The problems, however, have accumulated so that en masse many people see them and worry about them. I do not.

"A year or so of attention to them under peacetime conditions will make them fade as have all the others. I feel the hardest ones were overcome years ago before anyone knew of their existence."

Maj. Armstrong said the biggest fears seemed to be of the "unknown". While he admitted he hadn't thoroughly probed the higher spectrum with FM, the Commission should set aside a portion of the spectrum to carry on experimental work. In 1935 he did operate an FM station at 117 mc and only once did he have any reports of long-distance interference.

"There has been some discussion as to how many cycles are good enough for the average listener," said Maj. Armstrong. "I think the best way to state the difference between 10,000 and 15,000 cycles is the difference between something which is good and something which is real."

In urging the Commission to retain the present FM band, while permitting experiments in the higher frequencies. Maj. Armstrong said he had no fears about developing sufficient power at the higher frequencies. While operating at 117 mc he said his station developed up to 15 kw power, but concluded the safe operating period was around 5 kw. He is not concerned about bursts, he testified; neither does skywave interference worry him as an FM operator. Sporadic E and F are the principal problems, he added.

Petrillo Refuses FDR Plea

(Continued from Supplement page 5)

ment," he said. "During this entire controversy we have made records and transcriptions for practically every governmental agency, for the armed forces of the U. S. and our Allies, in the overwhelming number of cases without any compensation and we are continuing to do so."

He said the union makes 225,000 records monthly for the Special Service Division of the Army for distribution to Army and Navy troops for which it receives no compensation. An estimated $2,000,000 worth of recordings and transcriptions is done gratuitously, he said, for the Coordinator of Inter-American Affairs and the OWI. In addition, he listed numerous agencies and relief organizations which have benefited by gratuitous services of the AFM on behalf of the war effort and he pointed to appearances of name bands and symphony orchestras at Army camps, hospitals, War Bond rallies, etc., which he said can be evaluated at millions and millions of dollars.

"Where the war effort was and is involved," he said, "we have responded without hesitation. That is certainly manifest from the fact that we have supplied our members to do governmental work for the two companies who refused to contract for the employment of our members for civilian work".

Would Hurt Union

Mr. Petrillo said that compliance with the WLB directive would result in "incalculable harm" to the musicians union. "The only good that would come out of the lifting of the ban," he added, "would be to permit these two companies to resume the manufacture of records for civilian use with resulting tremendous profits to them, and that would be accomplished by taking the business away from those companies who have signed with the AFM and who are now supplying the public with all necessary recordings."

Reviewing the anti-trust proceedings instituted against the union by the Dept .of Justice in 1942, the dismissal of the suit by Federal District Judge Barnes in Chicago and the upholding of the lower court's action by the Supreme Court, Mr. Petrillo asserted the court proceedings showed the union had "a lawful right" to impose the ban "to preserve our livelihood".

He suggested that "as a matter of fairness there is only one solution to this problem the federation can accept and that is for these two companies to sign the same contract as the 105 other companies have signed if they wish our members to work for them in making recordings and transcriptions."

Chairman Davis' news conference, though called to discuss wage modifications of the Little Steel formula, was devoted largely to the recording case, news of the Petrillo telegram having been released a few hours earlier. One reporter asked whether it is not the Board policy to consider any interruption to production of any kind as having an effect on the war effort.

Situation Changed

Chairman Davis replied that the Petrillo case came to the Board with a good deal of evidence of its effect upon the war effort. Chairman Fly of the FCC, he said, had testified that if small radio stations were deprived of transcriptions they would be put out of business which would affect the air raid alert system of which the stations were a very vital part. Director Elmer Davis of OWI also had testified as to the importance of dance records to the morale of the army, he added.

"But while the case was pending before the Board," chairman Davis explained, "that situation was radically changed because the manufacturers of transcriptions made a contract with Petrillo so that they resumed the making of these transcriptions and that took care of the little stations. And Decca made a contract with Petrillo which got Decca a supply of artists and musicians to make ordinary commercial records. So that both of these vacuums were supplied by these contracts.

"I don't suppose it makes an awful lot of difference to the morale of the country whether the record that is played is made by Decca or one of the other record making companies. It is the artists' names that they want. So that situation has changed.

"Now, under the statute, when the case goes to the President for seizure, he is required to find that there is an interruption of work necessary to the war effort. The requirements of Section 2 of the statute are considerably more rigid than the certification section; and what happened, as I understand it in this case from the President's telegram, was that . . . nobody could advise him that the inability of RCA and these other companies to get these artists interfered with the war effort under the circumstances.

Mr. Davis said that the Board has evidence of repercussions with the war effort through strikes which were not directly affecting the war effort. He cited as an example a strike in delicatessen stores in Pontiac, Mich., which shut down three or four big war plants.

Fund an Issue

But in the Petrillo case, he said, the recording ban "doesn't create any riots. It is not of a character that causes other people to go out on strike. There are no picket lines, nothing of that kind. So an honest person, I am quite certain —looking at the situation, no honest person could say that that was interrupting the war effort. I thought what the President did say to him was pretty good—very good; called on him as an American citizen to go along with the procession."

In discussing the merits of the case, Mr. Davis said the only question in dispute was the administration of the "employment fund" for which record fees were to be collected. "There wasn't any dispute about the amount of royalty," he said. "The producers were prepared to pay the same royalty as Decca. They were in agreement about the amount. The only difference of opinion was as to how it should be administered and our order was to sit down and bargain about it."

Mr. Petrillo's refusal to comply with the President's request was greeted by sharp criticism in the press and a number of newspapers carried cartoons ridiculing the AFM leader and taunting the President for stooping to "request" compliance from the AFM leader (see supplement, page 4). Many of the editorials found fault with the Administration for not applying seizure as was done in the Montgomery Ward case. Re-examination and modification of Congressional laws was advocated by several papers as the only remedy to the situation.

Litter Plane With West Va. Crew Brings Chernoff Back After Interviewing Nazis

AFTER a three-month tour in the European war theatre Howard L. Chernoff, managing director of the West Virginia Network, returned to the United States last week by litter plane of the Air Transport Command, with an all-West Virginia passenger list and crew.

Mr. Chernoff, accredited as one of the first of the independent radio correspondents in the European theatre, served his last month as a special CBS correspondent and commentator from Paris and on the Continent. He had handled 58 separate broadcasts, both direct and transcribed, for the West Virginia Network, aside from special CBS assignments.

Brest Battle

Highlight of the trip was Mr. Chernoff's eyewitness account of the battle of Brest, carried over the combined networks on a pooled basis. The transcribed documentary also was rebroadcast three times over BBC in preference to the British network's own coverage of that epochal battle.

Another scoop chalked up by Mr. Chernoff, over CBS exclusively, was his interview from Paris of 24-year-old Lt. Samuel McGill, who engineered the mass surrender of 20,000 Germans near Olean several weeks ago. Mr. Chernoff had driven with the captured Germans 20 miles behind the lines, and had interviewed many of them in German, which he speaks fluently.

MR. CHERNOFF

To climax what was to have been an all-West Virginia coverage of the European theatre, Mr. Chernoff arranged for the all-West Virginia litter plane return. Upon landing at Mitchell Field, he transcribed a half-hour show, interviewing the wounded as well as the crew members. The program was performed next day over the network.

Mr. Chernoff now is making a speaking tour of his home State, for a fee, and is donating the return equally to the American Red Cross and the War Fund.

Tek on 77

JOHNSON & JOHNSON, New Brunswick, N. J., using radio as the primary medium, on Oct. 2 started promotion on Tek Double Pak toothbrushes through transcribed chain-breaks 25 to 35 times weekly on some 77 stations through December, with plans to expand. Agency is Ferry-Hanly Co., New York.

Tom Lewis a Colonel

THOMAS A. LEWIS, Armed Forces Radio Service, has been promoted from lieutenant colonel to colonel. Col. Thomas, stationed in Hollywood, is commanding officer, AFRS, information and education division, Army Service Forces. Former radio director of Young & Rubicam, Col. Lewis joined the radio section of the Special Services Division in May 1942 with the rank of major, and subsequently established the AFRS.

Craven Cites Confusion in FM, Video

Proposes 400 Channels For FM, Foresees 2,000 Stations

ASSERTING that the present situation with reference to new radio services "is sufficiently confusing to cause reasonable men to hesitate to invest heavily in facsimile, FM or television," T. A. M. Craven, vice-president of the Cowles Broadcasting Co. and former Federal Communications Commissioner, last week called upon the FCC to "visualize the distant future" then attempt to evaluate the interim requirements in its consideration of allocations.

Appearing on Wednesday before the FCC on the FM phase of the allocations hearings, Comdr. Craven urged the Commission to evaluate requirements of the future in terms of fewer stations per channel than originally contemplated and offered recommendations for the following allocations:

For facsimile, 80 channels 50 kc wide, utilizing FM channels 52-56 mc; 100 channels, 50 kc wide, utilizing FM channels, 475-480 mc.

For FM, both educational and commercial, 400 channels, 100 kc wide, 60-100 mc. He estimated that within the next 10-15 years there will be 2,000 commercial FM stations and an equal number of educational outlets, if proper space is allocated.

For television broadcasting, 40 channels 13 mc wide, 480-1,000 mc. If existing navigational aids, using frequencies between 956-1,000 mc cannot be moved, it may be necessary to reduce the number of channels assigned to television.

For auxiliary services, such as relay stations and studio-transmitter links, an "adequate number" of frequencies between 30-475 mc. He advocated that links between stations in different cities be allocated above 1,000 mc where beam systems will be more useful. Synchronization control links should be provided also above 1,000 mc.

"We have faith in the ultimate future of the broadcasting industry and are anxious to expand into new broadcasting fields as soon as basic allocation policies are determined by the Commission and new construction becomes possible," he said.

Another bombshell was exploded by Comdr. Craven in a presentation on television prepared for delivery at last Saturday's session. He proposed high fidelity, color television above 400 mc, and said the Cowles organization will invest in a transmitter in Washington to operate on about 750 mc with a channel width of 13 mc using the same carrier for both audio and video, to be on the air 18 months after V-E Day. The transmitter, to be manufactured by Westinghouse, will transmit 525 lines of color and 735 lines of black and white.

Comdr. Craven, a radio engineer of 37 years' background (most of which he spent as a Naval Communications Officer), told his former colleagues it is an historical fact that "it is practically impossible to provide for a future allocation of radio spectrum space to the various services based upon a completely demonstrated performance in actual use. The 1920 allocations of Washington were not based upon complete knowledge. However, they paved the way for the 1927 allocations.

"If allocations are postponed until complete knowledge of performance in service has been gained, the factor of invested capital in equipment forces compromises which are not the best solution from an engineering standpoint," Comdr. Craven asserted. "Today the question of capital invested or about to be invested in equipment between 30 and 1,000 mc again presents a serious problem."

Danger of Chaos

Because of crowding in the 30-42 mc band, services cannot operate efficiently, even today, he explained, adding: "It is not difficult to vision complete chaos in this portion of the radio spectrum unless relief is afforded by allocating more space to those services now."

Indications are that co-channel interference will exist between stations using frequencies below 50 mc, he stated, and it appears that on any frequency below 100 mc interference may limit service. He pointed to the experience of amateurs and police radio in the 30-60 mc band and said: "The recent evidence of co-channel interference between FM broadcasting stations is significant."

He told of aviation's potential vast expansion and of its necessary needs in the spectrum.

He urged the Commission, in allocating spectrum space to FM, to "permit each station to serve the trade area of the community in which the station is located . . . because such a ruling will have an effect upon the number of channels required for his service."

As to receivers, admitting it may be more difficult to manufacture FM receivers to operate between 60-100 mc, Comdr. Craven declared: "It is common knowledge that the technical developments of the war have been sufficient to provide much greater stability in operation than was the case prior to the war." There was sufficient stability prior to the war, he continued, in television receivers between 50-100 mc to justify the belief that FM receivers can be properly designed, using the same order of frequencies.

Speaking on his proposal for 400 channels, Comdr. Craven said: "It would seem wiser to assume that, for the beginning at least, only 10 stations could operate efficiently on each channel. The estimate seems to force consideration of channel widths narrower than 200 kc. We are prepared to operate on 100 kc channels between 60-100 mc and we are satisfied that the manufacturers can produce equipment for such an allocation."

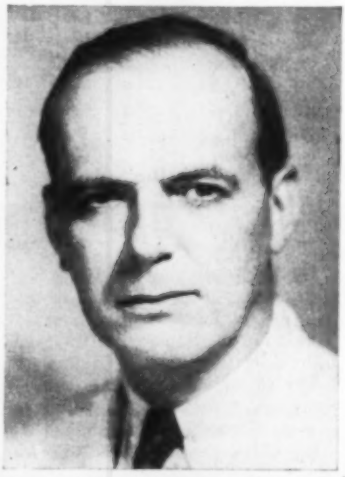
FM Band Too Low

Cross-examined by Mr. Denny, Comdr. Craven said he felt the present FM band was too low. From a strictly engineering standpoint he considered the 100 mc band safer than that of 50 mc. He said he felt 88-108 mc would be better than 41-54 mc. At the higher frequencies he said he felt the shadow problem could be licked, but he expressed some doubts as to sporadic E, disagreeing with testimony by J. E. Brown, chief engineer of Zenith Radio Corp.

"I have no fear whatsoever of the ability of this industry to secure 50 kw for FM at 100 mc," said Comdr. Craven when questioned about previous testimony that it might be difficult to attain a 50 kw signal at 100 mc. "I don't see how the Commission can plan services without ultimately realizing that television will have to be moved out of the lower frequencies." He suggested that for the time being, until after the war, the present services could go on, but he called upon the Commission to "make known what it plans to do, say within a year".

Questioned by W. A. Roberts, counsel for Television Broadcasters Assn., as to why he wanted to move television out of the lower frequencies, Comdr. Craven said it would provide for services other than broadcasting, give commercial and educational FM room to expand and make for better quality television and better quality FM.

He disclosed that the Cowles Broadcasting Co. is filing an application for an FM station at 49.1 mc "to see if it is feasible to convert to 100 mc".



COMDR. CRAVEN

In his television statement Comdr. Craven emphasized the factors applying to allocations in general covering FM, applying equally to the video service. He brought out that two great industries—aviation and broadcasting—are in competition for portions of the spectrum between 30 and 1,000 mc. Between 50 and 400 mc, he said, there isn't enough room for both services. Because aviation involves safety of life and since it is already in this portion of the spectrum, he said it seems inevitable that it will be permitted to expand to adjacent space.

There is little investment in commercial television, both transmitters and receivers, in the band above 100 mc and therefore he felt aviation should get preference. He said prewar television is not high quality, and doesn't compare favorably with motion picture quality. Channels should be more than twice as wide as the 6 mc present video band. The 18 channels now assigned television, he declared, are too few, with 30 to 40 channels a better estimate, if stations on the same channel can be spaced at about 200 miles. He doubted that television stations so spaced can operate successfully below 100 mc.

The crux of television service was said by Comdr. Craven to be the receiving antenna for the home —a factor generally overlooked. A much more simple antenna can be designed in the higher portion of the spectrum, he said. Moreover, most engineers agree that ultimately television will go above 400 mc.

Fears Obsolescence

"We, therefore, hesitate to invest our capital in a system of television which is already rapidly becoming obsolete," the former Commissioner stated. "These obsolescent investments would have to be written off far more rapidly than we believe possible in the type of new business that television broadcasting must be. We believe that the expenditure of a large amount of money, at this time, for the modern television will bring better results faster than dividing the same amount of money between the prewar television and the new television."

Describing the proposed Washington operation, Comdr. Craven said his company would provide 2 receivers out of a lot of 200 to be manufactured by Zenith, capable of receiving efficiently the proposed station. The antenna installation would be simple and reasonable in cost and provide best means of mitigating effect of multiple reflection. "If our estimate of the situation is correct," he added, "television, utilizing high definition and wide channel on frequencies about 400 mc, is almost as imminent on a national scale as is television utilizing prewar standards."